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ON

"NEW THRUST IN DEMOCRATIC DECENTRALIZATION"

Sunday, the 1st November, 1987

10.00 A.M.

I.I.P.A. Auditorium

LIST OF CONTRIBUTORS

- | | |
|---|--|
| 1. Prof. S.N. Mishra
I.I.P.A., New Delhi. | Discussion Paper on "New Thrust
in Democratic Decentralization" |
| 2. Shri R.P. Agrawal,
Kanhaulinaka, Muzaffarpur. | A Thought on Democratic Decent-
ralization |
| 3. Shri Ajaib Singh
6th Street Y Block
12th Main Road, Madras-40 | New Thrust in Democratic
Decentralization |
| 4. Shri R.R. Dalavai
35, Bharathi Salai,
Madras-600 005 | -do- |
| 5. Dr. C. Gnanapragasam,
Lecturer in Political Science
ICC&CE, M.K. University,
Madurai. | -do- |
| 6. Smt. Santha Gopinath
New Delhi. | -do- |
| 7. Dr. (Mrs) Waziha Murtaza
Post-Graduate Deptt. of Pol.Sc.,
Patna University, Patna. | New Thrust in Democratic Decent-
ralisation and the Village
Panchayat. |
| 8. Shri R.K. Pandey
Addl. Collector & Vice Chairman,
Santhal Parganas IIPA Local
Branch. | New Thrust in Democratic Decen-
tralization. |
| 9. Shri K.N. Sahay
Principal Retd.)
Deoghar College,
B. Deoghar. | -do- |



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|--|---|
| 10. Shri K.R.N. Sahay
(Retd. Engineer) Road No.1,
Rajendranagar, PO Patna-800016 | Decentralisation Towards Democracy
at District Level. |
| 11. Shri Om Prakash Sethi
144, Housing Board Colony,
Gurgaon-122 001, Haryana | Democratic Decentralization and
Development Challenges & Response |
| 12. Shri J.P. Singh
Indian Airlines, Gauhati Airport,
Gauhati-781 015 | New Thrust in Democratic Decentra-
lization. |
| 13. Shri K.P. Singh, Patna
&
Shri G.P. Singh, Patna | -do- |
| 14. Dr. J.K.P. Sinha
Hony. Secretary, IIPA Bihar Regional
Branch, Patna. | -do- |
| 15. Shri K.R. Sinha
Sri Krishna Nagar, Patna | New Thrust in Democratic Decentra-
lisation with Special Reference
to Bihar. |
| 16. Prof. N. Sinha
Hony. Secretary, Santhal Pargana,
IIPA Local Branch, PO Deoghar,
Bihar. | New Thrust in Democratic Decentra-
lisation with Special Reference
to Santhals. |
| 17. Mrs. Nutan Sinha
Research scholar, Patna
University, Patna. | New Thrust in Democratic Decentra-
lisation. |
| 18. Mrs. Veena Sinha
Research Scholar, Patna University
Patna. | -do- |
| 19. Dr. (Mrs.) Prabhavati Sinha
Head, Deptt. of Pol.Sc.,
Women's College, Patna University,
Patna. | -do- |
| 20. Shri P.K. Sivanandan
Vattiyurkava,
Trivandrum-695013 | -do- |
| 21. Shri Subodh Kant,
M.L.A.,
Patna. | -do- |
| 22. Shri Saroj Kumar Verma
C/O Dr. Bipin Behari Verma
Professors' Colony, Red House
Compound, Gaya-823001 | -do- |

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1987

THEME PAPER
ON
NEW THRUST IN DEMOCRATIC DECENTRALIZATION

By

Dr. S.N. Mishra
Professor of Rural Studies
Indian Institute of Public Administration,
New Delhi

THEME PAPER

NEW THRUST IN DEMOCRATIC DECENTRALIZATION

- S.N. Mishra,
IIPA, New Delhi

The contemporary Indian society has been striving for establishing social, economic and political justice through modernization of its political and administrative institutions. The rising expectations of people and the government's emotional commitment to economic development, democratic political ideals, and administrative decentralization are placing increasing demands on the public bureaucracy to implement socio-economic development programmes more effectively and with greater public participation. Due to this changing socio-political milieu, the local development bureaucracy is confronted with a formidable task of promoting economic development through democratic management, local autonomy and the joint sharing of responsibilities with people's representatives.

The institutional expression of the policy of "democratic decentralization" in India is identified with "Panchayati Raj". The development needs and concern for democratization of the administrative mechanism determine the role of political and administrative institutions in the country. Any analytical study examining the role of these institutions therefore can not escape

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the impact of social setting, local political dynamics, development goals, functional dimensions, structural processes and relationships, popular support and governmental attitude towards the capacity and nature of responsibilities of these institutions. In a rapidly changing political environment, it is difficult to assess the actual contribution of these experiments to the theory of democratic management and control. However, the operational dynamics do present a number of challenging questions to normative as well as empirical democratic theory.

It is, therefore, desirable to identify some of the fundamental questions which will provide the basis for discussion in this paper. Related to the political consequences, the first basic question draws our attention to the problem of conceptual clarity. What does the concept of "decentralization" mean in Indian context? Is there any conflict between "democracy", "decentralization" and "development" as the three basic goals of decentralized democracy? Should the institutions of democratic decentralization be treated purely as a "developmental mechanism" or a "power mechanism" providing a hierarchical chain of political offices through which the actual political power can be exercised? What type of relationship should these institutions have with the national or state political organization? Without any organization or party lines, can these institutions serve the functions of interest aggregation and interest articulation reflecting the people's aspirations and demands?

Arising out of these questions, the paper first deals with the conceptual underpinnings of decentralization for comprehending the substantive meaning and nature of democratic decentralization. It then deals with the normative aspects of democratic decentralization by analysing the desirable nature of decentralization in terms of basic unit of decentralization which could be administratively viable and also closer to the people. The paper afterwards probes the efficacy of the experiment tried in this regard which raises certain questions at this stage viz. Do these patterns of decentralized democracy involve the decentralization of political or administrative powers or do they merely lead to the transfer of certain governmental functions to the local authorities? How far have the institutional organization and administrative arrangements been successful in promoting harmonious working relationships among the officials and elected members of political organs? Has there been adequate inter-institutional, inter-departmental coordination among the different components of the decentralized system to facilitate an effective planning and execution of development plans at the local level? Based on the analysis of all these aspects of the problem the paper finally puts forward some suggestions to provide new thrust to the concept of democratic decentralization in Indian context.

Democratic Decentralization: The Conceptual Context:

The real meaning and significance of democratic decentralization can be understood in the light of the prevailing social, economic and political conditions which determine the purpose and pattern of democratic process. India has greater diversities in terms of culture, languages, caste groups and economic stratification apart from authoritarian political tradition. Side by side the demands for eradication of poverty, disease and ignorance are increasing in alarming proportion and require massive efforts. This challenging task emphasises economic priorities and increasing public participation to fullfil the rising expectations of the vast masses. At the same time aspiration aroused by political freedom require a widening of the base for political participation. With a view to contain the forces of diversities, the emerging trend is tilting the balance towards decentralization. Thus, a true image of pattern of 'democratic decentralization', both at conceptual and operational level, can better be visualised in contextual term where the objective and motivation of the political leadership provides a true perspective for understanding the process and problems of decentralization.

The concept of decentralization, as it applies to India, presents a different approach to the decentralization of political and administrative powers. Having its mixed goals of democracy, decentralization and development, it refers to

the programmes and tendencies which implies devolution of governmental powers and responsibilities, decentralization of political institutions, development of local leadership and strengthening the efforts for economic modernization. However, not all scholars agree to this formulation.

In a narrow and technical sense Prof. Hanson uses the term "democratic decentralization" to identify the process whereby the responsibilities of the central government are transferred to subordinate agencies which are elected by geographic or functional constituencies. These agencies acquire some of their powers not by delegation from higher administrative authority but by legislative or constitutional provisions (Hanson, 1963, p.20).

The Balwantrai Mehta Report of 1957, however, repudiates the above conceptual development and holds the view that 'delegation of power does not divest the government of the ultimate responsibility for the actions of the authority to whom power is delegated, this authority is under the control of the government and is in every sense subordinate to it. Decentralization, on the other hand, is the process whereby the government divests itself completely of certain duties and responsibilities and devolves them on some other authority (Mehta, 1957: V.1:7).

However, the real test is not decentralization of political agencies or institutions, but the effective

decentralization of responsibilities, powers and prestige or status. Presumably, genuine decentralization involves a significant measure of either deconcentration, delegation, or devolution, i.e. conferring of real powers on local authorities (Alderfer, 1964:187-77). Decentralization also implies clear understanding of socio-cultural and legal factors.

Thus the pattern of decentralization as evolves in India involves both the delegation or deconcentration and devolution or transfer of political and administrative powers. Thus the degree of democratization and decentralization is determined by the politico-economic objective and the operational procedures designed to regulate the administrative mechanism.

Democratic Decentralization in India: The Genesis:

Many efforts in India were made before independence, both by individuals and voluntary associations, for rural reconstruction by decentralising the political and administrative powers. After independence, Community Development (CD) and National Extension Services (NES) programmes were launched in 1952 and 1953 respectively for the development of rural areas. But they failed to achieve their development objectives. The review of the working of the CD and NES movement revealed that its attempt to evoke popular initiative

was one of its least successful aspects. The proposal of the Planning Commission for the Second Five Year Plan stressed the need for creating within the district a well organised democratic structure of administration in which village panchayats would be organically linked with popular organisations at a higher level. The proposal was subsequently taken up by the Study Team appointed by the Committee on Plan Projects. The Team, presided over by Balwantraoi Mehta submitted an elaborate report in 1957.

The Mehta Study Team, realising the importance of popular participation, recommended creation of institutions which were to be statutory, elective, comprehensive in duties and functions, equipped with necessary executive machinery, with adequate resources, and with enough autonomy and freedom. The creation of the Panchayati Raj in 1959, with the object of entrusting the authority and responsibility for rural development to rural people was hailed not only as an innovation but also as a revolution.¹

1. Henry Meddick - Panchayati Raj: A Study of Rural Local Government in India, London, Longman, 1970, p.3, Norman D. Palmer describes it as the most exciting experiment in democratic decentralization in any developing country. See Norman D. Palmer, The Indian Political System, Boston, Houghton, Mifflin, p.104; A.H.Hanson and Janet, Douglas considered Panchayati Raj a India's distinctive contribution to the theory and practice of local government, See A Hanson, Janet Douglas, India's Democracy, Delhi, Vikas, 1972, p.184.

The Study Team recommended a three tier system for self-government at the grass-roots level. Subsequently when the PRIs were introduced in early Sixties, they were assigned three major tasks viz., developmental, administrative, and political. The Mehta Committee had assigned greater importance to the developmental tasks but the three tasks mentioned above were supposed to maintain a mutual inter-relationship. However, non-devolution of own sources of revenues proved to be the greatest stumbling block in performance of these assigned tasks. This led to the mounting pressure on the district level bureaucracy, ultimately it led to a hostile attitude of the bureaucracy towards these grass-root institutions.

As these institutions took a shape, the MLAs, MLCs and other politicians came to realise the strategic importance of PRIs and started looking at the representatives of PRIs as the political rivals. Therefore, they seemingly started a non-cooperation movement against these institutions. This inevitably led to a decline of these. The performance and objectives of the PRIs were considerably deluted making them directionless. The declining political support coupled with indifferent attitude of local level bureaucracy led further diminution of the developmental and administrative role of the PRIs making the political role more prominent.

The basic philosophy behind the PRIs was to ensure people's participation in development programmes which was expected to unleash the arrested process of change and growth. However, these institutions failed to a great extent on both the fronts due to their non-performance. So much so that during the Seventies it created an impression of 'a God that failed'. Nevertheless it had the perceptible impact in terms of galvanizing the average citizen in rural India and wherever it took its roots; it helped in narrowing the gap between the bureaucracy and the people. At the same time, it also succeeded in devising a development strategy for the people.

New Strategy:

After initial enthusiasm and promising performance, when PRIs began to decline rapidly, the Asoka Mehta Committee was appointed in 1977 by the Janta Government for suggesting ways and means of reviving the PRIs.

Crux of the Asoka Mehta Report:

The terms of reference of the Asoka Mehta Committee encompassed all important aspects of the Panchayati Raj as is evident from its extensive 132 recommendations. Diagnosing the ills afflicting the PRIs the Committee pointed out that haphazard programmes, non-performance, rise of vested interests, lack of political will on the part of the Central and State Governments, lack of adequate financial resources, etc. have

positively contributed to its decline. It also felt that the concept of Panchayati Raj itself got lost in the haze of conflicting interpretation. However the Committee hastened to add that this failing was not peculiar to Panchayati Raj only. It was only symptomatic of the decline afflicting the entire body politic of the nation.

New Approach:

The major thrust of the Report pertained to decentralization "the formulation of structural functions and the utilization of financial, administrative and human resources in Panchayati Raj institutions should, in our opinion, be determined on the emerging functional necessity of management of rural development".

The Committee's dominant thinking centres round the functional necessity for decentralization of administration. It was called a "new approach" towards Panchayati Raj.

It is, however, felt that the Committee perceived the philosophy or 'approach' to PR in some what narrow terms. "It gives one a feeling that Panchayati Raj is a mere administrative contrivance whose justification lies only in terms of rural development". It might have been more secular if PR, or rural local government, were regarded like its counter-parts at the state and central levels as a system of government having a measure of autonomy in the matter of functioning and existing in its own right. The Committee's

is a too closely focused definition of rural local government and it needs to be liberalised and made more open ended".²

Without going into the details of the Report of the Committee let us look at the major recommendations of the Committee and the model suggested by it. It suggests that Panchayati Raj should be viewed as a 'government' in its own right at the grass-root level which means a three tier structure of federation instead of two at present.

The Model:

- 1) Being conscious of the operational realities of Panchayati Raj Institutions the committee adopted a flexible approach to the problem and recommended a "two tier" model of Panchayati Raj. Keeping in view the development necessities the first point of decentralization below the state was suggested should be the district. Apart from being the basic units of devolution, the district level should be treated as the unit of planning;
- 2) For the second tier, the Committee thought that in order to be a viable unit the unit has to be bigger than the existing Panchayats. It therefore suggested the creation of "Mandal Panchayats (which will be the implementing body) consisting of a cluster of villages covering a population of 15,000 to 20,000. The Committee further felt that a Mandal Panchayat

2. S.R.Maheshwari, "Panchayati Raj between the two Mehtas and Beyond", Panchayati Sandesh, Delhi, Vol.10, No.10-11, January-February, 1979, p.12.

would alone be able to ensure a balance between technological requirements and possibilities of popular participation in decision making;

- 3) The Committee recommended direct election for both tiers i.e. Zila Parishad and Mandal Panchayat with reservation of seats for scheduled castes and scheduled tribes in proportion to their population and women (two seats) who got the highest number of votes in Panchayati Raj elections;
- 4) It suggested to encourage committee system at both the levels;
- 5) MLAs and MPs should not be 'insiders'. However, the Committee was of the opinion that a Committee of the whole Zila Parishad may be constituted for planning purposes and MLAs and MPs should also be ex-officio members of this Committee. Therefore in the proposed system of elections the directly elected component would be larger than the ex-officio and coopted elements;
- 6) The Committee categorically favoured the participation of political parties in Panchayati Raj. This was thought to impart distinct orientation towards programmes and would facilitate healthier linkages with the higher level political processes. It would also help in providing constructive outlet to opposition parties at the state level who may chalk out their achievement at the District level. Moreover, direct elections coupled with programme based contest would offer greater scope to weaker sections for availing the opportunities offered by the political system;

- 7) The Committee suggested that the Zila Parishad would be the first point of decentralization and the basic unit of Panchayati Raj endowed with a comprehensive range of developmental responsibilities. At the grass-roots level, the Mandal Panchayat would be the hub of development activities;
- 8) In regard to the functions of Panchayati Raj institutions the Committee felt that development being a dynamic process, functions can not remain static; periodic adjustments would be necessary to suit the changing requirements. As such the committee recommended that all development functions relating to a district which are now being performed by the State Government should be entrusted to Zila Parishad;
- 9) So far local level planning is concerned, the committee suggested that there should be a professionally qualified team at the district level for the preparation of district plans;
- 10) With a view to ensure social justice the Committee favoured representation of scheduled castes/scheduled tribes on the basis of their population; and social justice committee with chairman from the scheduled castes/scheduled tribes. In order to ensure the benefit from the development programmes to the weaker sections of the society, it suggested social audit system.
- 11) An important related recommendation is that all the staff with decentralized functions should be under the Zila Parishad.

The committee thus visualised a separate development administration having decentralized functions alongwith a composite Zila Parishad Secretariat;

- 12) Since all functions relating to implementation at the district level are transferred to Zila Parishad, the committee felt that the funds should also be transferred to Zila Parishad automatically. Administrative expenditure on the salaries and allowances of staff transferred to Zila Parishad should be borne by the government.

In sum, the Committee's approach was that the pattern of administration should suit the decentralization of development function. "A delectable comparison of administration is made with a women's dress. It has to drape well the body politic and has to fit with the contours".(Mehta, VI, 68-78).

Observations:

It is difficult to disagree with the major conclusions arrived at by the Asoka Mehta Committee. However, what is more important is whether the Centre and the State Governments are serious about implementing them. The stance of the existing government on genuine decentralization is well known. This also needs to be viewed in the context of the trends towards complete monopoly of power in the states as well. The Committee has taken note of it and has explicitly stated that "the existing scheme of distribution of powers between the Union and the States would require a detailed out separate consideration". This question has been debated for many years and is remained still inconclusive. It is obvious that the remedy lies only in the amendment of the

Constitution. The Constitution had not foreseen integrated administrative development and percolation of genuine democracy to the grass-roots. In the Government's scheme of things, bureaucracy would always reign supreme at the lower level, unlike at the Centre and State levels.

The litany of praise for the so-called "Technological revolution" contained in the report may be good for the Government time capsules, but actual experience has shown that the situation has only worsened in the rural areas. A cursory glance at the screaming newspaper headlines about the recent atrocities in rural India highlights their plight. Today we have the Scheduled Castes, Scheduled Tribes and Backward Castes, together with other landless, bearing the brunt of exploitation. For their emancipation, genuine democracy has to be extended to the grass-roots level, decentralization is the only tool for this.

This brings us to the question of regular elections at the local levels. Co-option, as indicated in the Report, will not be conducive to the smooth functioning of elected organs of administration. In fact, there is a case for proportional representation for organized groups, though the Committee has specially come out against this. But only by resorting to some sort of a proportional representation can justice be done to political parties, religious minorities, scheduled castes, scheduled tribes, women, etc.

Representation to the scheduled castes and scheduled tribes and backward classes is absolutely justified, both in terms of social advance and in the light of the past exploitation and present subjugation. But this cannot be an indefinite feature at the Panchayati Raj level. It would help in the formation of an elite group amongst them. Recent experiments in "Reservation" carried out in the State of Bihar have shown that it leads to unnecessary exacerbation of caste conflicts. In India today, there are millions of upper caste people who have been dispossessed and pauperized. Therefore, it is essential that economic status should also be an important criterion for reservation. All the same the 20 percent reservation for the important posts of chairman envisaged by the Committee for the Scheduled Castes and Scheduled Tribes is a good thing. Panchayati Raj has long been the domain of the land-holding upper castes and it is essential to break their stronghold. But this cannot be done simply by reservation. What is preferable is a broad alliance between them and the poor belonging to the other castes.

The radical recommendations in regard to the tiers may raise many eyebrows. A reaction³ may be noted thus, "in

3. "The Committee does not recognize a need for an elective participative organism at the level of the village; it is content with village committees. Such a view makes the village too conspicuous by its absence in the Mehta Scheme of organisation. Political institutions do not operate in a vacuum, and by over-looking village, which

Asoka Mehta two-tier structure of Zila Parishads and Mandal Panchayats, the Gram Panchayats and Village as a unit are the casualties. Villagers come in contact with the Gram Panchayat directly therefore making it more effective and useful, should have been attempted ... Efforts all through have been to strengthen the grass-root level but the Committee thought it wise to shift the power and focus of activities to cluster of Villages or Mandals, to talk of decentralization from the State to Zila Parishad level but to recommend the shift of power and activity from a village to a cluster of villages appears to be contradictory in spirit".⁴

Chapters VIII and IX of the Report dealing with the problem of administrative and financial resources have no radical measures to offer. The glaring disparity in service conditions between Central and All-India Services, between State services and the services of the local bodies are not exactly conducive to the morale, especially of local level government employees.

In the matter of allocating resources the Committee lays great stress by the altruism of the Central and State

is an organic entity, the Asoka Mehta Committee runs the risk of suggesting precisely such a kind of remedy. It may perhaps do us good to recognise the full organic personality of the village and build the decentralized structure upon it" (Maheshwari, Panchayati Raj between the Two Mehtas and Beyond, p.13).

4. S.K.Sharma, Review of Asoka Mehta Committee Report on Panchayati Raj Institutions', Kurukshetra, New Delhi, (Vol.XXVII, No.3, November 1, 1948, p.10).

Governments. It would have been better if the Panchayati Raj institutions were allowed to mobilize their own resources. The Central and State Governments should start tapping financial resources that fall within the purview of the local bodies. There could be an understanding on the part of the Centre, State and Panchayati Raj institutions on providing an equitable basis for allocation of financial resources. This would be the right attitude. Otherwise it would lead to merely burdening the rural people with more taxes.

To discuss the recommendations of the Asoka Mehta Committee, the Chief Ministers conference was called in Delhi in August 1979. In the light of the discussions, to bring uniformity in the Panchayati Raj pattern for the whole of the country, a model bill was prepared with a hope that every state government will pass it and will follow an uniform pattern. But unfortunately in the course of events the model bill did not attract the attention of state governments and the bill could not be passed.

However, keeping in view the plan priorities of the 7th Five Year Plan in respect of rural development and poverty alleviation programmes, the Planning Commission setup the Committee on Administrative Arrangements for Rural Development to review the existing administrative arrangements for rural development and poverty alleviation programmes and to

recommend appropriate structural mechanism to ensure that they are planned in an integrated manner and implemented effectively.

CAARD Report:

The Committee which was constituted on March 31, 1985 had Shri G.V.K. Rao as its Chairman. In the terms of reference of the Committee, apart from other issues, one of the important matters was to study the role of Panchayati Raj bodies and their relationship with the proposed administrative setup, and to make appropriate recommendations in this regard.

While examining the genesis and role of Panchayati Raj institutions in historical perspective the committee looked into the factors which were responsible for decline in their status. The Committee pointed out that decline in the status and authority of Panchayati Raj Institutions may be attributed to the reluctance of political leadership at state level to share power with district leadership.

With a view to activate the PRIs the Committee gave several useful suggestions. District being the prime unit for overall planning and development, it suggested to strengthen the Zila Parishad by introducing a system of Sub-Committees constituted on the basis of proportional representation. This would encourage and enhance the participatory democracy. Planning, plan implementation and monitoring of rural

development programmes were suggested to be entrusted to the PRIs at the District and lower levels. It even talked of transferring some of the planning functions at the state level to the district level. In order to appreciate the ideals of participatory democracy, it envisaged of hold the local elections regularly.

In regard to integration of rural development programmes, one of the suggestions of the Committee is that Zila Parishad should be apex body for the overall planning at the district level. It should be assisted by a District Planning Board which should be an advisory expert body with a Planning Cell. The plan should be prepared by the DPB and sent to Zila Parishad for review and authentication. In this model all the rural development activities pertaining to the district should be covered under the purview of district body.

Having thus analysed the new refreshing ideas suggested by the CAARD for restructuring of the system, let us now turn to a much talked about model in this regard tried and working in Karnataka, Andhra Pradesh and West Bengal. Though the structure of Panchayati Raj system in West Bengal is based on the old model of three tier but its functioning in recent years has attracted the attention due to its functioning on genuine decentralised pattern. This also needs careful consideration.

Karnataka Experiment:

In Karnataka the 1983 election was fought by the Janta Party on the basis of "power to the people" which was the main thrust of its election manifesto. Therefore, immediately after acquiring the power, the Janta Government, following Gandhi's philosophy believed that the state should rest upon four pillars viz., village, district, state and centre.

The Karnataka Zila Parishad and Mandal Panchayat Act therefore enacted in 1985 was implemented with effect from March 1987. It basically follows the model suggested by the Asoka Mehta Committee with certain modifications. The objective of the Act is to give the highest priority to rural development, eradicate poverty and bring about alround improvement in rural economy through people's participation. To achieve these objectives, the Act provides the maximum degree of decentralisation - both in planning and implementation.

The Karnataka model brings into its fold a three tier Panchayati Raj structure by establishing Zila Parishad, the Taluk Panchayat Samiti and the Mandal Panchayat. The Act also provides for the institution of Gram Sabha at the revenue village level and Nyaya Panchayat at the Mandal level. However, the Nyaya Panchayat will come into being only after five years. The main characteristics of the Karnataka

model are as follows:-

Gram Sabha:

The Gram Sabha consisting of all the adult members of the village and meeting twice in a year looks after the implementation of the development programmes, making proposals for any new programme of development, integration of all sections of the village, building up of land army, programme of adult education and such other functions as may be prescribed from time to time. The novel feature is that the meetings of the Gram Sabha are presided over by the Pradhan of Mandal Panchayat.

Mandal Panchayat:

The Mandal Panchayats consisting of a cluster of villages have not less than 10,000 and not more than 15,000 population for general areas and 5,000 population for those areas which are surrounded by forests and having heavy rainfall. Similarly, for every 500 population one member is elected and the total membership of the Mandal Panchayat ranges between 20 to 22 and for forest areas 10 elected members constitute Mandal Panchayat. The novelty of this system is the reservation of 25 percent seats for women. Seats are also reserved for ST/SC in proportion to their population. If the representatives of backward classes do not find place through electoral process 2 members of

that community may be nominated by the State Government. It is interesting to note that the Pradhans and Up-pradhans are paid for the positions they hold.

The Act provides for obligatory, discretionary, and transferred functions. In order to enable them perform those functions, the Act provides that apart from local resources it will include the allocation of funds by the State Government or the Zila Parishad. Moreover, it also provides for a per capita grant of Rs.15/- to the Mandal Panchayat.

However, the financial as well as personnel matters of the Mandal Panchayat are subject to the supervision of Zila Parishad. In all these matters, therefore, the linkages between the Mandal Panchayat and Zila Parishad is vertical, the later exercising control downwards.

Taluka Panchayat:

The Taluka Panchayat Samiti consists of members of Zila Parishad and State Legislature representing a part or whole of the Taluk whose constituency lie within the Taluk, the Pradhans of Mandal Panchayats, presidents of Primary Land Development Bank and Taluk Agricultural Produce Co-operative Marketing Society as also 5 co-opted members of SC/ST, backward classes and women. The MLA representing the major part of the Taluk is the Chairman of the Samiti and Block Development Officer is the Secretary.

The Samiti has three major powers that of supervision, review, and co-ordination.

Zila Parishad:

The Zila Parishad composed of (1) elected, (2) associate and (3) nominated members is a the body corporate like the Mandal Panchayat. For the election of Zila Parishad both territorial and population criteria are employed, i.e., one member for 35000 population except for the district of Kodagu where each member will represent a population of 15000. The Chairman/President of District Central Co-operative Bank is an Associate Member and has no voting right. The nominated members are the members of Parliament and State Legislature representing a part or whole of the area. Here again, there is provision for reservation of seats for women and SC/ST. The term of office of the member is 5 years.

The Adhyaksha and Upadhyaksha are elected from amongst the members of Zila Parishad for a period of 5 years and the Adhyaksha receives the salary of a State Minister and the Upadhyaksha that of a Deputy Minister.

The Office of the Executive Officer is perhaps a new innovation as far nomenclature is concerned. He is designated as Chief Secretary, Zila Parishad and is of the rank of Deputy Commissioner.

The functions of Zila Parishad are very many right from supervision and integration to the preparation of plan

for the district. The Zila Parishad, thus has adequate developmental functions but has not been given any regulatory function. As it has replaced the erstwhile District Rural Development Society, it has taken over the functions of the latter too. It functions through nine standing committees.

The finances of Zila Parishad include: the amount transferred to Zila Parishad by appropriation from the consolidated fund of the State; all grants, assignments, loans and contribution made by the Government; all profits and other money occurring by gift, grants, assignments or transfer from private individuals or institutions; and all sums received on behalf of Zila Parishad by virtue of the present or any other act. However, transfer by way of appropriation from the consolidated fund of the State Government is the main source.

One of the interesting parts of the Act is the "Finance Commission" for the Zila Parishad to be set up by the State Government.

The Zila Parishad has been provided wide range of powers of superintendence and control over the functions of Mandal Panchayat.

On the whole, Karnataka is the only State other than West Bengal which has proclaimed faith in devolution of authorities and effectiveness of Panchayati Raj Institution.

Karnataka Model: An Evaluation:

It should be obvious from the above that the experiment with the Zila Parishad administrative set up having a Chairman as 'Executive Head' and a Chief Secretary who is a relatively more senior IAS officer - is indicative of a promising future. A major reason for this could be the clarity with regard to their respective positions and roles, and a better attention to administrative details. The pay structure of Chairman and Vice-Chairman evoke the status of Minister of State and Deputy Minister in the State Government.

Secondly, the Act reflects a stronger commitment to decentralization and to the related idea of 'horizontal decision-making levels'. In regard to chronic problem of supersession, it can be said that the Mandal Panchayat and Zila Parishad enjoy a secured position in the present Act.

Thirdly, decentralization of powers and functions would be illusory without requisite financial backup. In this regard it may be added that a decision has already been taken to transfer 40 percent of the plan expenditure and 50 percent of non-plan expenditures to Zila Parishads.

However, on debit side, if one may say so, there is a feeling among some exponents of backward classes that these classes have received a raw deal. It is felt that the system of reservation as obtaining in Andhra Pradesh should have been adopted here as well. It is worth

mentioning that in Andhra Pradesh 20 percent seat of the President's in Mandal Praja Parishad (MPP) and Zila Praja Parishads(ZPP) are reserved for such classes.

By giving powers of planning and implementation of development programmes to Zila Parishad, the government, it seems, intends to introduce a District Government in phases. Though the Karnataka model aims at giving "powers to the people" but there is no definite provision in the Act to ensure accountability of the representatives to the people excepting right to information.

At operational plane the Karnataka Model raise certain questions: Is it a cabinet form of government or a Mayor-in-Council form?, What is the relationship between the Chairman and the Chief Secretary?, Whether the post of Chief Secretary is a misnomer?, Whether there will be a party system within the Zila Parishad?, and whether the Chairman and Vice-Chairman have executive powers?

Moreover, the concept of "Four Pillar State" as proclaimed by Karnataka Government seems to be a wishful thinking as it requires constitutional guarantee.

The real thrust of democratic decentralization in Karnataka is at two levels viz. the district level and at the Mandal level. This does not appear to be sufficient and ultimately it may lead to increasing bureaucratization not only of the administrative apparatus but also of the people's representatives.

However, it is too early to comment as to whether the experiment will succeed or fail as the new experiment is only a nascent child of six months and it has yet to face the teething trouble. Any definite conclusion about this experiment can be drawn only after watching its performance for two to three years.

If we take a comparative view of the Panchayati Raj Institution in Karnataka and West Bengal, the following facts emerge:-

- i) In both the States, the first point of decentralization below the state is the district. This accords with the recommendations of Balwantrai Mehta Committee and Asoka Mehta Committee.
- ii) In both the States, Zila Parishads are based on direct elections, in Karnataka wholly and in West Bengal dominantly.
- iii) In both the States, the Chairman and Vice-Chairman of Zila Parishads are from amongst the directly elected members.
- iv) In Karnataka the DRDA with effect from April 1987 (After the Constitution of Zila Parishad under the new Act) has ceased to exist and its functions have been merged with Zila Parishad. Same is the case with district planning body. The district heads of line departments have also come squarely under the Zila Parishad. The Executive Officer of the Zila Parishad has been designated as the Chief Secretary, giving it the flavour of a district government. The responsibility of horizontal coordination lies with Zila Parishad.

In West Bengal, the District Magistrate is also the Chief Executive Officer of the Zila Parishad. The Chairman of the Zila Parishad is the Chairman of the district planning committee, as also of the DRDA. Horizontal coordination in this case is sought to be achieved by the key role allotted to the Chairman, Zila Parishad.

- v) In Karnataka though there is Taluk Panchayat in between Mandal Panchayat and Zila Parishad but eventually there is only one tier below the district, namely the Mandal Panchayat. In West Bengal the old model of three tier, i.e., Zila Parishad, Panchayat Samiti and the Gram Panchayat continues.

The Andhra Pradesh Model:

The new Act of 1986 provides for the establishment of the Mandal Praja Parishad, Zila Praja Parishad and Zila Pranalika Abhivrudhi Mandals (District Planning and Development Councils). The last has since been replaced by 'Zila Abhivrudhi Sameeksha Mandals' (1987) due to the criticism that it was against the spirit and framework of democratic decentralization.

The elections to the offices of the Presidents of Mandal Praja Parishads and Chairmen of Zila Praja Parishads have already been held in March 1987. But the legislative procedure in regard to composition of Gram Panchayats are yet to be completed. However, a cabinet decision prescribes a population of not less than 3000 and more than 25000 for constitution of a Gram Panchayat. The question of

clubbing two or more villages will arise only when the population of an individual village is less than 3000. Beyond this nothing is clear about the composition, powers and functions of Gram Panchayats.

Partially elected and partially ex-officio members constitute the Mandal Praja Parishad and Zila Praja Parishad. The Mandal Praja Parishad, a body corporate, performs development functions under many heads.

The State Government provides Grants to every Mandal Praja Parishad @ Rs.5 per individual. Apart from this the financial resources of the Mandal Praja Parishad include proceeds from local resources.

The Zila Praja Parishad comprises of the following members: The Chairman(directly elected), Presidents of Mandal Praja Parishads of the district, and MPs and MLAs representing the district. But the latter will have no voting right. A Deputy Chairman is elected from amongst its members.

The finances of Zila Parishad include: funds allotted to Zila Parishad by the State and Central Government, grants from all India bodies, and revenue from local taxes. Apart from these the ZPP gets grants from state government @ Rs.2/- per individual.

The business of the ZPP is discharged by six committees. Each committee consists of a Chairman, the District Collector and elected members from amongst the members of ZPP.

Under the new Act there is provision for reservation of seats of President MPP and Chairman ZPP in following order; Scheduled Castes 15 percent; Scheduled Tribes 5 percent; Women 9 percent and Backward Classes 20 percent.

The District Development Officer, an Officer of the rank of Joint Collector, is the Chief Executive Officer of Zila Parishad.

The Amendment Act (Section 69) provides for the Constitution of 'Zila Abhivrudhi Sameeksha Mandal' (District Development review council). The council consisting of the Chairman and Vice-Chairman of Zila Praja Parishad, the MPs and MLAs of the District concerned, the District Collector and one Minister nominate by the Chief Minister who will be by the Chairman. The duties of the Council (Mandali) is to review the developmental activities of all departments in the district and to perform all such activities assigned by the Government through notification.

Since the complete picture of Panchayati Raj in Andhra Pradesh is yet to emerge, it is very difficult to give a categorical opinion about this experiment.

Emerging Theme:

In regard to the functioning of Panchayati Raj institutions much talked about problem relates to its structure. In recent years Asoka Mehta Committee recommended for a two tier system. The states of Karnataka and Andhra Pradesh have introduced certain changes in their Panchayati

Raj Acts to make the institutions of grass-roots democracy more functional and development oriented.

The basic philosophy behind such models is to check the growing importance and interference of affluent sections of the rural society. But when put to test, these models have their own limitations. In spite of long experiment with the Balwantrai Mehta model the Panchayati Raj Institutions have not proved to be an effective instrument of change and development.

However, gradually the people have started realising the importance and utility of these grass-root institutions and the role to be played by them in development of rural areas. As such it is not advisable to do away with the old system by introducing the new ones. Instead of changing the structure, what is more important is to strengthen the old one (the existing three tier system) and make them more effective and development oriented.

Elections are integral part of democratic process which strengthen democratic system. When democratic institutions are considered desirable at the grass-root level, to stimulate development, periodic elections based on universal adult suffrage become an imperative. Elections not only provide opportunities for the people to choose their representatives, but also provide political education. It is also a process of mobilizing the people to get involved

in development activities. It helps the identification of people with the institutions and is the best outlet for increasing competitiveness in rural areas.

Unfortunately, however, the Panchayati Raj elections are not held regularly. It depends on the whims of the state governments to hold or not to hold the Panchayati Raj elections. As such to provide new thrust to democratic decentralization the Constitution needs to be suitably amended to make the Panchayati Raj elections compulsory. It would serve double purpose of educating the rural masses about the functioning of democratic institutions and also the importance of participatory development. Periodic elections and change in leadership may also help in making the leadership more responsible and action oriented. Another important recommendation of Asoka Mehta Committee regarding a separate election commission for the PRIs also needs to be implemented for streamlining the electoral process at the grass-root level.

The supersession of PRIs and inordinate delay in holding of fresh elections need to be avoided. Therefore strict rules have to be framed to check the supersession of PRIs on political consideration or otherwise. If at all stern action has to be taken, against a defaulting institution, it has to be dissolved, not superceded so that elections take place within six months.

The Gram Sabha is an institution which provides opportunity to all the people, willing and capable, to participate in development process. Unfortunately throughout the country, it meets only on paper. To make the Gram Sabha an effective and functional institution, the elected heads and members of the executive committee should be made responsible to get the Gram Sabha activated. This calls for some statutory arrangement for putting the responsibility on them, so that there could be regular meetings of the Gram Sabha. For this purpose the members of Panchayat Samiti of the area would also be made responsible.

Steps have also to be taken to strengthen Nyaya Panchayat along the lines of the recommendations of the Asoka Mehta Committee.

The Panchayat Samitis are most effective so far as planning and implementation of development programmes are concerned. However, due to the procedure of indirect elections money and muscle power play a significant role. As a result, some times the inefficient and undesirable elements get elected as its President.

Therefore the number of co-opted members needs to be minimised and for elective offices there should be provision for direct election. A minimum of 20 percent of the seats of Mukhya/Sarpancha and Pradhans may be reserved for SC/ST, women and other down trodden sections of the society. This

will help minimise the ever growing influence of affluent sections of the society on Panchayati Raj Institutions.

Another point of concern at the Samiti level is non-functional character of committees. The committee system should be made effective through direct election from amongst the members of Panchayat Samiti. The Committees must meet once in a fortnight to review the progress.

At the Zila Parishad/Zila Panchayat level undue interference by MPs, MLAs, MLCs and other nominated members is generally reported. This could be minimised by not giving voting right to such members.

In regard to powers and functions of Zila Parishad, though so much powers have been given to the Zila Parishad but these are subject to changes made by the state governments from time to time. This creates a state of uncertainty. Therefore steps have to be taken to give full freedom to the Panchayati Raj institutions to exercise their statutory powers freely without any political interference from the state governments.

Finances happen to be yet another problem being faced by the Panchayati Raj institutions. They do not have adequate finance to implement development programmes. Therefore financial requirements of Panchayati Raj institutions have to be incorporated in the state budget separately. They also need to be encouraged to mobilise

their own resources by way of tax, fees, and remunerative projects.

The remoteness of the planning agencies from the areas of implementation has hampered the matching of sectoral financial allocations with location specific needs. The existing planning model has contributed to regional and social imbalances. In order to achieve balanced development, local level planning or areas planning has to be more effectively introduced.

On the democratic front it is also imperative that the process should not be terminated at the state level and democratic institutions at all levels should play an important role in the planning and implementation of rural development programmes.

As regards decentralization, the district should be the first point below the state level. Zila Parishad should play an important role in planning and implementation of all development programmes of the district. Block level planning should be the part of district planning. However, block level planning should not be viewed as an hierarchy of levels from a cluster of villages to the block, regional, district and state levels. The main thrust of block level planning should be to speed up the process of decentralization.

In regard to inter-institutional and inter-departmental coordination, it can be said that successful operation of

multi-functional administrative agencies requires a high degree of coordination among the different divisions of the undertakings. The realization of the policy goals of democratic decentralization requires both vertical as well as horizontal coordination among different development departments and the institutions of Panchayati Raj.

The process of development usually involves multiplication of administrative units. As such in the operational phase the new functions tend to emphasize the development of new organizational patterns and relationship which in turn require coordinated efforts within the same organizational unit as well as in the area of its external relationship.

Under the existing arrangements, the democratic bodies exercise only the coordinating control over the local development personnel drawn from various departments and the actual administrative control remains with their departmental heads. In such a situation provisions may be made that the services of different development departments at local level may be transferred to Zila Parishad which should remain under its direct control. Adequate coordination among different institutions of the Panchayati Raj is also necessary. Theoretically political parties are not allowed to operate in the area of decentralized democracy, but in practice, these bodies are sharply divided into different factions along the lines of caste, community, race, religion

and social status. The emergence of the majority of one power-faction generates enough friction in the body where the indifference and frustration tend to force the minority faction into a position of 'political exile' (Mishra, S.N. 1986:142). In such a situation, collaboration and cooperation are often replaced by open hostilities and obstructionist attitudes. To ward off such tendencies the political parties may be allowed to inter into the election arena.

The problem of maintaining harmonious relationship between the officials and elected representatives has proved most difficult and has adversely effected the performance of these decentralized democratic institutions. As such efforts should be made to facilitate healthy psychological adjustment and smooth working relationship between the two.

In sum, lack of unity in command, inadequate coordination, paucity of financial resources, dual operational control over the functioning of extension personnel, overlapping of functional responsibilities and undue political interference in day to day routine matters seriously undermine the effectiveness of these agencies both as institutions of local self-government and as instruments of social and economic development planning.

As such, if the democratic experiment in India has failed to offer suitable institutional development and 'participatory democracy' a reality, it should not be viewed

as the fault of the idea or philosophy of democratic decentralization. The responsibility for such a failure will fall upon the political and administrative leadership which could not successfully devise suitable institutional structure, operational procedures and working arrangements. Thus to provide new thrust to democratic decentralization, the problems raised above need to be taken care of by finding an immediate solution.

Finally, if a new thrust to democratic decentralization has really to be given our constitution has to be suitably amended for making Panchayati Raj elections compulsory and the requisite quantum of financial resources has to be made available to them.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE - 1987

A THOUGHT ON DEMOCRATIC DECENTRALIZATION

BY: R.P. AGRAWAL

[The paper stresses that for realization of the decentralisation of the authority, there is need for requisite resources including competent and dependable man-power already in short supply. Further measures in the direction could succeed only through proper and effective supervision, responsive administration and objective legislation. Improper legislation in conflict with the objectives negate the efforts and dilute the effectiveness of the democracy itself ultimately affecting the evolution of decentralization to serve the purpose for the good of the people generally & to build a better Nation.]

Our democracy:

With the declaration of India a sovereign Republic in 1950, the thrust which began in the form of unarmed war against the centralised British Imperial rule completed its phase of emerging into a democracy. The war for independence as birth right (as Lokmanya had given a call) in India and later on declaration of independence from the colonial rule in 1947 was, in fact, a beginning of an era of freeing of the Nations in Asia.

Here in India we realize that the vast majority of the populace still continue to be at a distance from the centre of command, though the constitutional part of democratization (the first step towards the governance/rule by mass for mass) was fulfilled.

Now nearing four decades still the administration is keeping a safe distance from the people and it is a far cry in the matter of realization of true democratic rule ! The Government is still shy on Openness and Lacked sharing of opinion with its people.

Cause of concern:

A veil of secrecy is usually maintained in legislations, procedures & processes finalization and even at the implementation stage. There is a worse sort of hide-seek needing elimination in true spirit of democratization so far the affairs relating the people at large are concerned. Citation will not be wanting, space permitting, from all parts of the governmental activities which has enormously widened from administration, services to productions and others.

Despite our acting all these years, why has it been so? It has often been vibrating our conscious and mind. We have Panchayats at grass root level to reach the people, but has the system proved to be a boon or a bane or a simple formality to the society. To what extent it has delivered the goods.

Why and to what extent to decentralize?

As aforesaid, there is dire need for the closer ties with the ruling and ruled segments of the society by coming closer. This is to make the impact feel of the delivery system (of justice

or services or goods). We long for the decentralization of control from above when see the things do not progress rather not even move, seldom realizing that the QUALITY is a scarce attribute and more we decentralize, the more we are prone to run short of it. The results in our efforts to conduct our affairs properly, efficiently and to achieve is obvious.

Therefore, it is rather more important that we see to things so as to remove the irritational causes of failure of delivery of justice, services and goods through effective legislation and its implementation so that the mass feels comfortable. Nevertheless, for the purpose of training, emulation and quick delivery system the decentralization to grass root may be taken up in right earnestness as a complementary and supplemental support to the true democratic rule of law. It would perhaps be more satisfying.

Let us have a look at Panchayats, the lowest rung in the administrative set-up and a grass-root decentralized point. As earlier said, the system has been more or less a formality. Still we have lot of people without panchayatiraj. Also where we have such a supplemental raj we have no regular elections, no regular functioning and it has not yet evoked the peoples' confidence generally.

Examples are there where policy/programmes at present is not based on the local needs rather percolated from above from planning command. While it may be worth in so far the large

development activities of broader national perspective may be concerned, it is desirable that the requirements of common man in the areas of consumption, meeting the basics & fighting the perils/dramatics, etc more often beyond the capacity and resources are tackled in decentralized way through new thrust in people's involvement, feed-back, etc by activitizing the last rung i.e. panchayats' authority. The strict & competent supervision with guidance must, however, be there to realise the fruits of new thrust in the decentralization.

Constraints:

Besides, there are other factors/situations constraining the realization of the TRUE DEMOCRACY and no less the decentralization of the democratic system. Let us consider primarily the common administrative set up.

- (1) feudal in nature and centrally administered
- (2) democratic socialism (with a thrust to decentralization) management.

In the first type there is absolute centralised control, while in the second type the representative character in the democratic set up does influence even if it may be centralised as in certain States in the World (e.g. USSR which, however, is now opening up).

The thrust in our country though towards decentralization, it is beset with the (a) extra administrative and (b) intra administrative problems.

Extra administrative problems may be

- political overzeal in the name of people's welfare
- ignorance and wanting education & outlook being exploited as mass is not heard rather exploited and neglected
- desiring distribution without caring for creation of wealth
- attitudinal dejection towards living and taking things easy
- want of brotherhood and sharing in contribution etc

Intra administrative problems may be

- attitudinal and mental make up affecting honesty of of purpose ultimately resulting in the mere formalities where democratic values are mis-used and mis-guided
- lacking dedication in executing the decent plans and programmes on the part of the polity
- crisis of character influencing insincerity and drift from openness
- wanting and effective supervision vertically downwards etc

It is our constitution which gives us the democratic pattern of duties, rights and privileges. Legislative measures, therefore, must be compatible with the democratic objectives to subserve the social cause and wellbeing resolutely and without distinction.

Example:

The socio-economic scene is greatly influenced by the monetary measures and practices. For the people in the remotest part and those with no economic cannon and to serve the socio-economic cause we had the nationalisation of major banking companies. These companies being money-lenders had little concern but for their profits as is usual in the money-business whether conducted

individually or through corporate body. In our country Money Lending has been subject to the States/Union legislative measures for long time. Even during the British rule, the Usurious Loans Act (Act X of 1918), giving additional powers to the courts to deal in certain monetary-business cases, was enacted. The court is empowered to see the fairness or otherwise of a transaction in money or kind and to decide on its applicability or considerations needed to give reliefs to the indebted person(s) in a particular set of circumstances irrespective of the purpose for which a loan was raised, for agriculture, industry or any other engaging activity. raised, for agriculture, industry or any other engaging activity. Now what we see that the very purpose of the take-over of the banks seems diluted by amendments to the laws, most significantly to the Usurious Act in 1984 after about a decade and half of the nationalisation through amending per new 21A in the Banking Companies Regulation Act restricting the courts from taking a decision in the case of actual distress or indebtedness arising out of the money lent by a bank. No sooner Govt takes control of the affairs of a business, it goes to amend things so as to exempt it from operations/compliance of the provisions of public interests thereby acting partisonally. Democracy/Socialism is a system wherein the possibility of exploitation or otherwise is considerably minimum either from individual(s) or the State itself.

When there is no propriety in our natration and deed, how could be there true democracy and what the purpose of decentralization of it. As such for an effective thrust we need pay attention

to the state of democracy first so that true democratic values are preserved in our laws and regulatory provisions and judiciary stands as a vanguard to protect the sufferers from the limitations of enacted laws.

To decentralization:

The country is divided into zones, regions in forms of States and then a State into districts which is subdivided in subdivisions and further into blocks. The geographical zone of a district is now smaller than before. A district collector/magistrate is the representative of the Government and an agent to it who heads the district management as a whole. He is now more powerful than his counterpart during the alien rule but is to work with restraint and decency as a democracy calls for. Things under him if functioned in such a way as to solve the genuine grievances (as the hardship and grievance are bound to occur) and meet the essentials for the common man, of what use further decentralisation in the set-up ! Nevertheless, in view of the time and distance limitations and with a view to involve people better for either way exchange of communication (feed back), as also to create a competent human-force to participate in the management of the State, it appears necessary to have a grass-root set-up to meet the expectations and aspirations of the people. A set up of the type may be put up easily but to be effective it requires the involvement of the District Collector to s u p e r v i s e the affairs at the decentralised points. Only then the system will have its meaning towards bettering administrative management and people's living,

also instances seen when decentralized system has been cause of more sore to a common man.

Ways out

Decentralization will succeed only when we have created a dedicated, diligent and able human-resource who is work and welfare conscious to administer and manage - believer in and doer of result oriented work and are not mere formalities complying. This calls for proper supervision at the respective stages for vertical and horizontal decentralization points if we desire the system to deliver the goods. We need pay greater attention to implementation part to decentralize the authority through stress on the "effective" supervision and attending to

- (i) problems ascertainment and shooting
- (ii) solving of knots in policy and implementation
- (iii) avoidance of conflicting legislative measures and these against the social objectives
- a (iv) grievances redressal by attacking at the root-causes which either through process/procedure or policy/programmes breed corruption and hardship.

In real terms there is need for ushering an era of social welfare (and management in better interests of the community. Otherwise the decentralization will only create further frustration, augment administrative problems and develop fissiparous tendencies, etc. defeating the whole purpose of self administration.

Conclusion

We have to enter into an era of reality and not formality and be prepared to face problems/bottleneck confronting any result oriented effort.

A citation from Bhagwad Purana from XII th chapter says

- when the State (Government) fails from its duties, the subjects (administered) become characterless or contentious and relish conflict -

Let us be optimist the we are concious to be answerable towards our responsibilities & duties to rear a better Nation. Removing the illls through supervision, coordination, openness, policy/ programme or legislative amendments where so desirable may get priority in our thinking/doing.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

Thirty-first Members' Annual Conference - 1987

New Thrust in Democratic Decentralisation

By

AJ AIB SINGH, MADRAS-600040.

Democratic decentralisation is most necessary for economic progress of India. Alongwith decentralisation labour and industrial laws are also necessary to be modified. First I take the present labour and industrial policy on account of which we have been downgraded, remedies I will take at the end.

Industrial labour policy this is very crucial point as country's production trade and progress is concerned with this. Some of the labour laws were tempered by the British itself when they came to know that shortly they have to leave the country. As as early as 1938 Lord Nufield told in the house of lords if you can not fight with them you join with them. It means if you can not fight with congress you join with Congress. I know one of the incident just at time of close of war, two persons in the Royal Air Force came late by one day after leave. One of them was British and other Indian. The English Commander of the Air force Station Kohat gave 21 days detention to the British and 7 days to the Indian. On enquiry he stated that I

am not bothered for Indian man's character but why an Englishman is love. Though they tempered some of the laws but they could not do much on account of war. Still lot of good laws where left in tact while the British left.

After Independence Indian Rulers made the laws without understanding the human character. By those laws now we are finding that the rich has gone more rich and the poor has gone more poor. Because all the laws were made to help the poor and the downtrodden. And no law was made to protect the rich. Then why the poor went more poor and the Rich went to protect the rich. Then why the poor went more poor and the Rich went more rich. It is according to the human character,

Off all the species of life in this world which are one cror and eleven lakhs known to the science till to-day. Man is the weakest of all. You can see he can not live in the sun without protection can not live in snow, water. He can not get his food unless he use the force of nature. Fly can damage his body, mosquito can bite dog can bite him and, run away Wold can kill him lion, Elephant so on and so fourth. Annimals are several times bigger then him Blue wale is 120 tones Sperm wale is 83 tons Elephant is 12 Tones so he can not protect him unless he use the force of nature or he should be armed. So his constant thinking to overcome the weakness brought him to be the strongest species of life in this World, over the naturally protected animals of the world.

So the same after the Independence the Govt made the laws to protect the poor and down troden and labour and did not give any protection to the rich, Industrial or businessman. Enacted the laws the Industrilist must pay so much bonus whether he gets profit or not. The govt. went contrary to the commendment of Abrhim Lincon. You can not help the poor by destroying the rich. You can not make one to stand on his own leg: by continuesly suporting him. Though the officials and Politititions have been helping the rich and the Industrialists out of the way because from there only they can get something but there is no law to protect them. So when the poor, labour and Down troden became protected species and they did not do family planning population exploded and our all five year plans went doldrum.

What is the logic that you ask the owener to pay some percentage of bonus whether he makes the profit or not. One should work to get his wages and he should work more to get his bonus. Once the owner is asked to pay bonus without profit. How can be pay he will become corrupt to pay. Once he gets corrupt to pay bonus he gets the taste of the blood so like a hound he never leaves. So it is govt. law makes him corrupt ultimately he becomes rich. Because poor, worker and downtrden is protected he becomes poor.

Whatever Drums Govt. goes on beating on economics progress the facts are not unknown to the sane men. Where we stood at time of Independence we had 3% share in the world trade now it is less than $\frac{1}{2}\%$ and we use to pay less than Rs.3/- for every dollar worth of material from America. Now we are paying Rs.13/50. At time of Independence we had Rs.200/- Credit for every Indian in the Foreign market and now even after so much population we are having near about Rs.10,000/- debt on every individual of Foreign market. On account of wrong industrial and labour policy.

So there should be decentralisation of Govts. industrial policy at the earliest. This protectionism has even failed in Russia where the people have proved the best social obligation to-wards the nation in modern history. Mr. Garbachev the Party Chief who visited India recently said that Russian workers production is 50% of the American worker and Russian farmer produces 10% of the American farmer.

If we want to take the country out of the glut our industrial labour policy and industries policy should change.

1. There should be no licence for the industry, Anybody whatever industry he or she want to put should be free to put.
2. Govt. should only specify whichever place is saturated with industry no new industry should come there .
3. No industry should come up at agricultural or cultivable land.

4. Govt. may give susidy if the industry is coming up at specified backward places.
5. There should be no wage policy no body is fool if somebody is getting more wages elsewhere he may come for lower wages.
6. The industrialist should be free to terminate the service of Anybody at any day then only you can get production like America.
7. Unless this fear is there no production will come.

Observation of law in India. And the Law making.

First of all after 40 years of our independence we have not enacted a law which should have been our first law, of our free Country. The first law should have been to outlaw the beggry, in the country, which we are yet to see. How many children are kidnaped and mained and put to beggry even computers can not quantify. There are begger homes where beggers are dressed and they go for begging in organised manner. You can unite valumes on this there is no end to this. The beggers do not observe family planning that is why all our five year plans went failur.

Observation of law.

First of all whatever law is made in India its makers are

the first breakers. Even then more than 95% people do observe the law. Only the law makers and their cronies and mafia done do not observe the law which are protected by the law makers law enforcers and the highest guardians of law courts High Courts and Supreme Court.

Last year our former vice president and now President his Excellency Shri VEKETRAMAN said in this very hall that people do not observe the law such as if there is a barcade road is under repair donot go people just push the baricade and go that way but he did not say any thing for highest pedestals of law breakers. Pundit Nehru said in this very hall in 1954 that by road side law breaking or similar actions countrys independence is not jaypordised but the law is voilated at highest places where even the country's independence is put to danger.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE - 1987

"NEW THRUST IN DEMOCRATIC DECENTRALISATION"

By

R.R. DALAVAI, Ed. "VOICE OF GANDHIJI"

Decentralisation is no new innovation in Administrative System. It is as old as Civil Administration that came into vogue as a panacea to Tribalism or Military Rule. British Imperial power, with its colonial intent and content in India, had perforce to decentralise its Civil Administration to keep its grip over India. Since it could not manage the vast country like India through a centralised system. Even a Military coup cannot be attempted or survive in a large country. This is a Historical fact as also vouchsafed by the great historian, Late Mr. Toynbee in a chat with me at Madras. But the colonial power, to suit its purpose confined its key offices to personnel drawn from its race. And its native administrative cadre were trained to make negative notes on the files and thus denied the decision making power. Absolute power was given only to officials of their race. Later to meet large demand for offices it trained and brainwashed select few natives to make decisions entirely in the interest of rulers, treating their own countrymen as

aliens. Such Indian officials alone will be admitted to the exclusive social clubs and gatherings meant for ruling race. Thus made them feel aligned to ruling race and alienated to countrymen and they took to Western life.

Such of those left in India on partition have infected the new entrants to Administrative Chief Executive Cadre and this infection is still active. This must be reversed early to save the Administration from this virus infection.

On Independence our democratically elected representatives have to reckon with these bureaucrats, tainted with British colonial intent, and rely on their advice. Since the elected were all drawn from those who discarded profession, education under Gandhiji's directions and concentrated on Freedom struggle for nearly 25 years of their prime life were new to intricacies of Administrative system. Hardcore bureaucrats neither India, civilian nor service oriented misused their expertise position and joined forces with their earlier comrades in public life, trade and industry, large land holders and the affluent class that played sycophancy to the British, all to enrich themselves and prosper. Thus India came under change of Masters from British to Indian and the game of exploit and loot the masses continued.

The elected to power were put under fear psychosis by these bureaucrats of dire consequences if their advice is not needed.

As a proof of my avernments:

1. These manipulate statistics of high literacy achievements and as against this ours is the only country holding on to Symbols at our polls.
2. High food sufficiency is assured even during the present drought conditions, yet Public Distributed System is not allowed to be discounted. Atleast to give great relief to public and to save large subsidies, it swallows, and to divert them for Plan expenditure. Why? Trade lobby and their own power- stance will get crippled. No other country is under such a system. In 1953 Rajaji abolished rationing, a war time babe, and Centre was forced to follow suit and till 1965 it survived. Till on the eve of the then coming general elections it was revived under pressure of large land holders lobby under assurance of large funds to the ruling party for the poll. Yes, thirteen years old system got buried.
3. World wide disparity of incomes has emerged after independence in direct contrast even to British rule period, 2% are under posh life and 8% lead decent life while the rest are toiling at marginal and below poverty line. It is the outcome of bad planning by these.

4. Behind the tall talk of National solidarity and fight of communalism and caste Government runs separate Hostels exclusively for Harijans, Backward classes, Muslims and tolerate private hostels for Brahmins and other forward classes too.
5. Crated special category of top executive viz. Commissioner & Special Secretary for Extra Salary & perks gain. All hush, hush. While for the lower grade Pay Commission has to recommend.

What an open hypocrisy!

Decentralisation needs a new thrust. But under cover of democratisation it should not lead to creation of more jobs. This may benefit the kith, kin and favourites of those in office and in between lead corruption. Yes, a sugar coated formula under the gloss of more jobs for the anemployed. Under the said advice pattern large staff will further complicate the already complex administration, confuse and confound the masses, enriching corruptive forces.

New Thrust to be dynamic and purposeful should be towards decentralisation of decision-making-power from gross root level. It should function at village level upwards to taluk, district and state level. Decision at every level should be final with a right of appeal to the next level for the aggrieved. This is based on our existing Judicial System with sub-court,

district court and high court. Our judicial system is concerned the best by all concerned.

It will then project and confine to local conditions, living norms and forms, generating village based prosperity growth. It will be relieved from trade and affluent lobby pulling the strings from the top. This will confirm to Gandhi's pyramidical system of administrative set-up with involvement of people at every level projecting their will and tuned to our culture, tradition and norms of life standards.

The Centre would then confine itself to National issues, viz. Defence, Foreign Affairs etc. maintaining harmonious relations with and between States and regions safeguarding National Solidarity to preserve our hard-won Swaraj. The Centre should not interfere with any administrative decisions except where it violates Constitutional provisions.

Towards this end and for its successful implementation and for assured results our present administrative cadre must be given a refresher course from the clerical to top executive level, imbibing in them a base that would give them a National outlook and community service intent. A patriotic content should be through an anticaste, communal & greedkill vaccine. For the executive ranks decision making capacity must be injected. Objectives of our National Policy, people's involvement, gradual reduction of the present wide and wild disparity in living standards should be impressed and given a new life.

A philosophical outlook is considered essential on the purpose of life and to be of service to community, with a sincere and devoted involvement to duty cast on one in this life, free from self and greed. Perhaps introduction of National dress for all in office (barring blue colour workers) may create oneness and project all as citizens of India. Rajaji did this in 1939 as Prime Minister of Madras State. This may accelerate National Solidarity now in Wilderness.

In conclusion first casualty under this, new thrust should be the British administrative legacy. New thrust must be, not on democratisation, but on full decentralised decision-making-power at every level with a recognition that the people are the Masters and their welfare and prosperity growth as the main objective of the Administration.

May Gandhi's dream of Gram Swaraj dawn under this New Thrust!

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE - 1987

NEW THRUSTS IN DEMOCRATIC DECENTRALISATION

Dr. C. GNANAPRAGASAM
LECTURER IN POLITICAL SCIENCE
ICC&CE, M.K. UNIVERSITY
MADURAI.

Democratic Decentralisation is the process of people getting involved in the affairs of the administration. If people participate more in the transactions of the Government it helps to run the govt. effectively. One of the ways of people's participation in Govt. is through the media of political parties. The mobilization of public opinion is one of the important functions of political parties. We are discussing much about the merits and demerits of political parties' role in democracy. Today, political parties are accepted as a carrier of public opinion both ways from Govt. to people as well as from people to Govt. So this is inevitable in a modern democracy. We are not in a position to run the govt. without the help of political parties. The political parties have spread their tentacles in all spheres of life. So they have become necessary politically, economically as well socially and it is obligatory for running the Govt. It is unthinkable for us to run the Govt. without political parties.

The entry of political parties in the local bodies' affairs has been restricted for sometime. The solidarity, unanimity of people etc. are necessary to provide the essential services to the common people and there is no difference of opinion in regard to the bare necessities of the people. That is why, at local level the matter is thoroughly discussed, and people to some extent have become disgusted also. In our rural set up, society is built up on caste divisions. This is the major problem coming in the way of bringing about unity among the castes or casteless efforts for the common good. Narrowmindedness, parochialism etc. are the common features of life in the rural areas. The Govt, voluntary agencies and leaders are making efforts to develop a broad minded outlook in the rural areas. The Sarvodaya movement, also tried to build up a broadminded society. The differences of opinions of the people are not taken into account but the problems of villages are attended to by the village people and this is duly recognised and encouraged by the Govt.

Gradually, people realised the dominance of political parties in the affairs of people and coerced the people to accept the activities of the political parties right from the centre, state and Local Governments in the federal system of Govt. In Tamil Nadu, after analysing all the pros and cons of political parties' entry into Local Govt., the Tamil Nadu Govt. decided to allow the political parties to contest the local

bodies election with their own symbols. So the local bodies election were conducted in Tamil Nadu on the basis of political parties. The Tamil Nadu Voter is said to be enlightened, for a simple reason that they preferred national party at the centre, Regional party at the state level and local govt. is not accommodated by any separate local parties. So the regional as well as the national parties entered the fray of local bodies election. The ruling AIADMK party was not supported as much as in the State Assembly election. Instead the opposition parties, got a lion's share in the local bodies election. Now the thrust for the democratic decentralisation has started.

Democratic Decentralisation is the process of political devolution of Power. 'Development from below 'i.e.' grass root' is the base for Local Govt. But the entry of political parties in the Local Govt. is facilitated by power descending from top down to the bottom. Members of state Legislature vigorously filed their candidature for seats of Local bodies. When the Tamil Nadu Govt. announced the Local bodies election on Jan. 24, 1982, 27 MLAs filed their nominations. The Party Position was as follows: AIADMK 17, DMK 6, Cong (1) 3 CPI(M) 1. The election was stayed by the High Court for want of clarification in the allocation of seats for the women, SC/ST in the various panchayat Unions. The point for consideration is what for the MLA's contested the local bodies election. Is a chairman of Panchayat Union more powerful than the elected MLA? It is to be noted here that the MLA is an ex-officio member of the Panchayat Union

Council. It is a new development in the process of Democratic Decentralisation; an opportunity either to dedicate oneself to the service of the local development or to exploit the resources for self development.

The Local Govt. is a state subject, and the State Govt. exercises power over the Local bodies. Of course, there are so many controls in the Act but hardly the state Govt. used them. The State Govt. now changed the mode of election and conducted direct election to the office of the Panchayat Union Chairman, Municipal Chairman etc. which paved the way for more participation, of the people. So the Govt. is keen to study and consider opinion of the people from time to time the State Govt. issues orders and directives to the Local bodies. The attitude of State Govt. has changed and more attention is given to the Local Govt. This is another aspect of the Democratic Decentralisation. The reasons for this development may be political, Local bodies are being the hotbeds of rivalry of political parties, the Govt. or ruling party or parties in power has/have to solve the problems of local bodies.

Now we shall examine different aspects of attention paid by the State Govt. to the local bodies within a year in Tamil Nadu. The problems analysed here are no way related to any party in power. These problems are common who ever comes to power. We are in a position to study the consequences or the implications in the Local bodies. The duty of the officials in the local bodies is

always to serve the local people under the authority of Local Govt. The authority structure is undergoing a change in local bodies. The first problem faced by the Govt. is the nomination of women, scheduled caste/Scheduled Tribe members in the panchayat unions. This problem is related to the election of the Vice-president of the Panchayat Unions. It is alleged that the election of Vice-Presidents of the various Panchayat Unions may be affected by the nomination of women. Sc/St members in the Panchayat Union. The Collector being the nominating authority, he can be influenced by the party in power. So there is a storm raised here and there.

The Second point is that the Govt. issued in a Extraordinary gazette which lists of people who could be invited to inaugurate the local schemes and functions. The Govt. ordered that political leaders should not be invited to these local functions and restricted invitations to the President, the Vice-President, the Governor or the Chief Minister of Tamil Nadu, the Speaker or Deputy Speaker and the State and Central Ministers. The local bodies chairman can only give welcome addresses but not preside over such functions.

Regarding the financial control the State Govt. now can supersede municipalities which are in financial trouble. The Local bodies have enjoyed limited taxation powers. The taxation appeal committee is always chaired by an elected representative of the local bodies. But today the Govt. has issued orders

regarding the constitution of the Taxation Appeal Committee. This Committee is presided over by the revenue official who is the chairman. The chairman of the local body and two members are to be the members. Again, official domination is ensured by appointing Block Development officers in each panchayat union to carry out the schemes of the panchayat union. The elected Panchayat Union has no power to select the beneficiaries under the schemes. So the schemes are implemented by the Block Development Officers and the Taxation Appeals, will be disposed of by the revenue officials. What kind of respect is then enjoyed by the local bodies chief? What will be the powers of our representatives?

The major point of democratic decentralisation is the right to recall the elected representatives of local bodies. The direct democratic technique is to be operated in the local bodies. This is necessary to curb the misusers of power can be removed easily. Under this Act, if one fourth of the voters in a municipality give a petition to the election authority (Divisional Development Officer in the case of Panchayat Union) he is expected to take action against the concerned municipal Chairman. So the election authority has the power to remove the corrupt elected Chairman, and then the council may elect another Chairman or the official himself may assume power.

Deliberations, Discussions, Debates etc. are some of the means to expose the problems to the public as well to the Govt. So these are necessary in a parliamentary Democracy. In the local bodies also these are necessary but more than all these, concrete action is important since they are providing essential civic amenities to the people. These amenities should be provided regularly, or else the life of the people will be affected. Pandesmonum, walkout, violent protest, physical manhandling etc. are some of the regular features at local bodies meetings. Verbal battles and undesirable comparisons are common, very little positive work is done in the local bodies. We do not mind till wells and Drainages are dedicated to particular political parties, these amenities are essential to the people in common not to their political parties. These and similar activities lead to an attitude of people apathy towards local bodies.

The State Govt. has been regulating and controlling the Local bodies from time to time by various means. After the entry of political parties in the local Govt. affairs, the State Govt. has tended to exercise absolute control more frequently over the local bodies. To a extent unnecessarily more powers are assigned to the bureaucrats byplasing the elected representatives of local bodies. This is against the basic principle of Democratic Decentralisation. Everybody expects perfection in others but is not in any way an example for perfection. This attitude is

reflected in the right to recall provision of the elected representatives in the local bodies. Why is not the State Govt. thinking of this issue in regard to the State Assembly? It means perhaps the State Govt. is considering itself to be perfect. So a uniform approach is necessary in tackling the problems of all bodies either local or state. Or else biased approach towards local bodies and broadminded approach at the state level are not advisable. We should not have double standards as far as the public issues are concerned. The stand of the State Govt. and the public should always encourage the elected representatives to strengthen the democratic decentralisation.

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NEW THRUST IN DEMOCRATIC DECENTRALISATION

By: Smt. Santha Gopinath
New Delhi.

1. Constitutional Provision:

The Directive Principles of State Policy enjoins the State to take steps to organise village panchayats and endow them with such powers and authorities as may be necessary to enable them to function as units of self-government. Though not enforceable by any law court, being a Directive Principle, it is fundamental to the governance of the country and nothing may be enacted or done which is likely to go against its spirit.

2. Definition:

Decentralisation involves devolution of power by an Authority - Political or Administrative at a higher level to an authority at a lower level in a territorial hierarchy and may take three main forms according to the nature of authority delegated viz, Political, Administrative and Financial. Political (Democratic) decentralisation, in turn, may take the form of either devolution or federalism.

3. The Gandhian Model:

The contribution of the saint-politician Gandhiji to the Indian Polity is seminal in nature. His entire energy was

focussed on the enormous task of reconstruction of Rural India. Explaining the Panchayat Raj, he said, "It is a complete republic independent of its neighbours for its ~~own~~ vital wants and yet dependent on many others in which dependence is needed. The government of village will be constituted by the Panchayat of the 5 persons annually elected by the adult villagers, male or female, possessing minimum required qualification. These will have all the authority and jurisdiction required, since there will be no system of punishment in the accepted sense of the terms. This Panchayat will be legislative, judiciary and executive combined to operate for its year of office."

He further believed, "In this organisation of innumerable villages, there will be everwidening, never ascending circle. Life will not be a pyramid with apex sustained by bottom, but will be an individual always ready to perish for the village, the latter ready to perish for the circle of villages, till at last the whole becomes one life composed of individuals never aggressive in their arrogance, but ever humble, sharing the majesty of oceanic circle of which they are integral units."

4. The Mechanism:

Gandhiji, from a surface view, will appear to be mostly concerned with everything antithetical to a "modern" state. The government at the centre and the states have come into existence with the establishment of the Indian Republic with the attendant paraphernalia. It is a given. The constitution

has the individual as the unit and not the village. Centralism is enforced and kept up by coercive force where as self-government institutions are designed to function by "human" bonds. In the Gandhian model of decentralisation with its following six components,

1. Self-Contained village and its relation with the city
2. Individual autonomy and integration for social progress
3. Oceanic circle,
4. Village community and village government
5. Political decentralisation linked with economic decentralisation.
6. Dedicated village worker for rural uplift,

the concept of oceanic circle allows the individual to die for the circle of villages. Given the realities "on the ground" it is easy to see which sections of the population will thus be allowed to perish.

Centralism .. decentralism is as much present in a modern polity as anabolism-Katabolism in any living organism. The construct is simple enough. Whereas a static view gives the impression that centralism is opposed to decentralisation, and each can function only at the cost of "the other", an organic or dynamic view will enable us to see that it ought to be more a symbiotic or synergic situation. One is the self-perpetuating, all-regulating, hard principle, while the other is ever-sacrificing powerless : soft principle at once at the mercy of the day's government for its nourishment and encouragement but whose interests the former can ignore only by risking its own organic

well being. The strong centre nurturing democratically decentralised institutions which even as they function healthy and sound, make for further strengthening of the centre. The cycle repeats; it is synergy at work. To keep the cycle going, decentralisation is to be fostered as much by the "adversary" centre as by the "beneficiaries" - the people.

In such a construct, there is no room for centrifugal forces weakening the centre. The threatened centre (i) responds by superceding or disbanding all the local self - government institutions so that, in a power - starved scenario it can appear as "strong". This has been validated by past experience in some of the states where Panchayat Raj Institutions were experimented, with emphasis either at the district or at the block level. Cases in Maharashtra Gujarat and Tamil Nadu - Andhra Pradesh are relevant in this context.

5. New Developments:

The structure - functions of the state and government are all written down and therefore lacks flexibility. The efforts at democratic decentralisation provide the much needed adaptability to cope with the requirements from time to time which otherwise may necessitate even amending the constitution.

A strong centre is a sine qua non for any meaningful attempt at democratic decentralisation. That is why Gandhiji's ideas were not experimented during his lifetime. Though Panchayat Raj Institutions were established as a result of the Balwant Rai Mehta

Committee Report in the end of 1957, they have had a chequered history.

Governmental action on constitutional clauses is automatic. It is precisely because self-government institutions have not been adumbrated in the constitution that their cause requires to be restated time and again through various commissions/committees and in each of the five-year-plans. Every such occasion provides an opportunity to review the experiment, take corrective action and if found necessary, to recast the set-up.

Even now, full Forty years after Independence, there is evidence of lack of appreciation of the magnificent design that is our national polity. Or else, how will one explain convening of a meeting of Chief Ministers in August 1987 to consider a proposal to constitutionally proclaim Panchayat Raj Institutions as the third tier of Government. The movement they are so incorporated, they lose their much-valued softness and may (God forbid) in course of time, get degenerated as an extended arm of a rigid state.

There is indeed a renewed thrust in democratic decentralisation. The developments in Karnataka merit pointed attention in this regard. The tensions that are bound to arise in implementing the scheme have to be dexterously dealt with. We do not know whether the MLAs experience a reduction in their role performance or an erosion of their importance and status. As a matter of fact, the new situation offers increased opportunities for mediating the differences in perception between local and state level administra-

tions. After all, the politician's role is primarily that of a mediator. They cannot remain impervious to the beneficial aspects of democratic decentralisation such as:

- a. Strengthens accountability
- b. Develops political skills contributing to national integration..
- c. Brings government closer to people
- d. Promotes liberty, equality and welfare
- e. Provides training ground for citizen participation and political leadership local as well as national.

Review of recent election results to the Panchayat Raj bodies reveals that, at the grassroots level, the citizens are not particularly enamoured of any political party. In Haryana, they have en masse gone in favour of independents in preference to candidates of well established political parties. This is a testing time for India's political parties.

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THIRTY FIRST MEMBERS' ANNUAL CONFERENCE- 1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION AND
THE VILLAGE PANCHAYAT.

By

Dr. (Mrs) Waziha Murtaza,
Post-Graduate Department of
Political Science,
Patna University, Patna.

Often, we have been told that the Village Panchayat is, for various reasons, not suitable for evolving and harnessing popular enthusiasm. This is a confession not merely of our lack of faith in Democratic Decentralization but of our failure to make the programme a genuine Community Development Programme.

It can become genuine only by operating through the co-operatives on the one hand and the statutory elective representative bodies on the other. The Panchayats as a primary elective body naturally had to be the basic institutions of this approach. But the Panchayat was "too small in area, population and financial resources to carry out all these functions".

The need for an Intermediate Body.

Even if the Panchayat be accepted as the primary democratically decentralised unit, the problem of finding out suitable

unit 'the next higher body' which would function with and through the Panchayats, as far as possible, remained unsolved. The Balwant Rai Mehta Study Team rejected the District Boards as an appropriate agency for developmental work on the following grounds: (i) lack of tradition (ii) lack of resources (iii) too wide an area. The chairman and members of the District Boards are not in a position to give any considerable portion of their time to the affairs of such a vast area. The District Boards might have served the purpose for which they were created, i.e. educating our people in self-government, but they have neither the tradition nor resources of the District Boards had already come to be duplicated by the State Government, e.g., the District School Boards in some states. The elective element in the District Board had little actual share in its day to day functioning which devolved largely into the hands of the officials. We have therefore to find out an institution which would "give democracy to intermediate levels". One finds the Panchayat Samiti as its answer to the problem which would have a "jurisdiction neither so large as to defeat the very purpose for which it is created nor so small as to militate against efficiency and economy".

The Panchayat Samiti has been identical in extent with the N.E.S. Block, the Tehsil or the Taluka. The Block offers an area large enough for functions which the Village Panchayat can perform and yet small enough to attract the interest and service of the residents. The Blocks, functioning already on an approved

staffing pattern as developmental units, presents the minimum problems in reorganisation. One would ever favour an adjustment in the size of the Block, whenever possible so as to make it "coincide with one of the existing administrative units like Tehsil, taluka or thana". In Bihar, roughly speaking, the thana become the territorial jurisdiction of the Block.

"The Panchayats", "have been grouped together in convenient units, as Gram Sewak's Circles, and the Panches of all the Panchayats in each of these unit elected from amongst themselves a person or persons to be a member or members of the Panchayat Samiti". These elected representatives co-opted two women who were interested in work among women and children. Besides, where the scheduled castes and scheduled tribes constituted 5 per cent or more of the population of the area, a member belonging to these groups each were further co-opted by the members.

Small municipalities, essentially rural in character, which lie as conclaves within the jurisdiction of the Block should also sent a representative to the Panchayat Samiti.

Lastly, "where the extent and importance of the local co-operative organisation justify, a number of seats were filled by representative of directors of the co-operatives functioning within the Block".

"The Panchayat Samiti have a life of 5 years, so that, "the Samiti once elected, be able to see the execution of the Five Year Plans drawn up by its predecessor, draw up its own plan for the next period and shoulder responsibility. This would be in the interest of wise planning and efficient execution of the Plan".

The functions of the Samiti, thus formed, have been (i) the development of agriculture in all its aspects, including the selection of the seed, its procurement and distribution, the improvement of agricultural practices, provision of local agricultural finance with the assistance of the Government and of the Co-operative Banks, minor irrigation works, the improvement of cattle, sheep and poultry etc., (ii) The promotion of local industries, (iii) the supply of drinking water, public health and sanitation and medical relief; (iv) relief of distress in time of national calamities, (v) arrangements in connection with local pilgrimages and festivals; (vi) construction and repair of roads of local importance (other than Village Panchayat roads), (vii) management and control of primary schools, (viii) the fixation of wages under the minimum wages act for non-industrial labour, (ix) welfare of backward classes and (x) the collection and maintenance of statistics.

In addition, the Panchayat Samiti acted as the agent of the State Government in executing any special schemes of development or other activities in which the State Government

might like to delegate its powers to this local authority.

Thus, the Samiti has become the exclusive agency for rural developmental-cum-municipal functions. Indeed, it has been strongly urged that "except where the Panchayat Samiti is not in a position to function in any particular matter, the State Government should not undertake any of these or other development functions in the Block area." There has been the possibility of charging this body with certain other functions like the maintenance and development of small forests, the maintenance of watch and ward establishment, excise and such other items, but "the immediate objective is to ensure that the development of the countryside is carried out as rapidly and efficiently as possible and through democratic process".

Link with other Organisations:

Having thus defined the functions and scope of the Panchayat Samiti as the principal agency for rural development, let us next proceed to delineate the scope and functions both of the Panchayat as the primary as also of a supervisory and co-ordinating agency in the form of the Zila Parishad.

The Panchayat and the Gram Sewak:

The Panchayat has an organic link with the Panchayat Samiti on the one hand and the Gram Sewak on the other. The Gram Sewak functions as the Development Secretary of the Panchayat or of the Committee of Village Panchayats. The Gram

Sewak has been the village level worker in the hierarchy of the C.D./N.E.S. Staff and is the lowest functionary of the developmental organisation. The area under such a V.L.W./Gram Sewak is a circle and the Block of the Panchayat Samiti does not have more than 20 such circles under it and that each circle cover a population normally not exceeding 400 or 800 families.

The Village Panchayat, both in its developmental as also normal maintenance functions, has been under the supervisory powers of the Panchayat Samiti. The budget is subject to the latter's scrutiny. The Panchayat Samiti provides such guidance to the village Panchayat in all its activities as the latter may need. Apart from the duties laid upon the Village Panchayat by Statute in the different States "The panchayat may undertake any other developmental work with the approval of the Panchayat Samiti". The function of Village Panchayat may be enumerated as follows: (i) provision of domestic water supply (ii) sanitation (iii) maintenance of public streets, drains, tanks etc., (iv) street lightening, (v) land management, (vi) maintenance of records relating to cattle, (vii) relief of distress, (viii) maintenance of Panchayat roads, culverts, bridges, drains, (ix) supervision of primary schools (x) welfare of backward classes and (xi) collection and maintenance of statistics besides acting as the agent of the Panchayat Samiti in executing any scheme of development.

NEED FOR A SUPERVISORY AND COORDINATING BODY.

The Zila Parishad:

Having a peep into the Village Panchayat and the Panchayat Samiti functions in their various fields, it appears that there is very little left for any higher administrative executive body other than the Government. But "to ensure the necessary co-ordination between the Panchayat Samiti", we have a Zila Parishad of which the members are the presidents of the Panchayat Samities, all members of the State legislature and of the Parliament representing a part or whole of a district level officers of the medical, public health, agriculture, veterinary, public health engineering, education backward class welfare, public works and other development departments.

The following are the functions of the Parishad:

- i) Examination and approval of the budgets of the Panchayat Samities.
- ii) Distribution of funds allotted by the Government for the district as a whole between various blocks.
- iii) Co-ordination and consolidation of block plans plans and acting as the intermediary between the Government and the Blocks.
- iv) General supervision of the activities of the Panchayat Samities.

The Parishad replaced the District Planning Committee, have Standing Committees to ensure rapid disposal of work. But the Parishad have executive powers as that may thwart the initiative and effectiveness of the Panchayat Samities in their earlier years. To ensure the sustained interests of the District Level Officers in charge of various development departments, they should be full fledged members of the Parishad and not just experts without the right to vote. On the basis of experience of working of these bodies, alterations in their composition, scope and powers may be called for subsequently, but what is essential is that "the three tiers of the scheme, viz., the Village Panchayat, the Panchayat Samiti and the Zila Parishad should operate simultaneously and there by ensuring the success of the policy of Democratic Decentralisation, of course, with new thrust of active participation and involvement of both rural and urban folk.

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THIRTY FIRST MEMBER'S ANNUAL CONFERENCE - 1987

By

R.K. Pandey
Addl. Collector & Vice Chairman,
Santhal Parganas IIPA Local Branch,

B. Deoghar.

Democratic decentralisation may be regarded as possessing two virtues - viz., first, as being consistent with the popular democratic trends and secondly, as being technically the best and most efficient methods of both formulation and execution of the local plan. The hierarchy of the Panchayats is to be an agency for development, rather than the salaried Government servants.

If the alleged significance of Indian Planning lies in its being an experiment in large scale and comprehensive controls with democratically decentralised institutions, new thrust lies in the maintenance of its democratic character as essential elements of its processes. Popular acceptance of and participation of the people in the various stages of plan - making and plan execution become essential. Hence the slogan of 'planning from Below', is based on the needs of the local populations and on their spontaneous enthusiasm. In and under

democratically decentralised institutions with limited extension and administrative services, the efficacy and intensity of development programmes depend on the availability of voluntary and honorary workers. Plainly suitable machinery has to be set up for the purpose. It was natural that any observer and student of the problems of Plan organisation and administration would, in this connection, think of bringing into service and developing the institutions of primary decentralised democracy - democracy at the grassroots - viz., the Village Panchayats. The Belwant Rai Mehta Study Team, therefore, observes that "So long as we do not discover or create a representative and democratically decentralised institution which will supply the 'local interest, supervision and care necessary to ensure that expenditure of money upon local projects conforms with the needs and wishes of the locality, invest it with adequate power and assign to it appropriate finances, we will never be able to evoke local interest and excite local initiative in the field of development".

Features of the Bihar Act:

We may now have a peep into the structure, powers and administrative relations of the Panchayat Samities and Zila Parishads set up in Bihar under the present legislation.

Composition, area and Functions of the Panchayat Samities

Membership :

The following are members of the Panchayat Samiti;

- (i) Mukhias of all the Gram Panchayats of the area, (ii) The

Chairman and Vice-Chairman of Municipalities and Notified Area Committee within the area of the Block, if any, as notified by the State Government, (iii) Three persons elected by the Secretaries of the cooperative societies of the area, other than the Central Co-operative Bank, (iv) A representative of the Central Co-operative Bank of the area. These co-opt (i) two persons normally resident in the area, whose experience in the spheres of administration, rural development and public works may prove beneficial to the Samiti, (ii) Two women residents of the area, if the Samiti otherwise has no women as its member, (iii) two persons each belonging to (a) Scheduled Castes (b) Scheduled tribes or (c) other special interest, if such classes or castes are not otherwise represented in the Samiti, if the population of these classes is 10 per cent or more of the total population of the Block, and one person each if the strength of the class is less than 10 percent but more than 5 per cent of the total population of the Block.

M.L.A.'s and M.P.'s elected from the area of the Block or any of its parts and M.L.C.'s or members of the Council of States living in the area function as associate members of the Samiti.

The associate members have the right to participate in the meetings of the Samiti, but will not have the right to vote or contest for any elective office within the Samiti.

The Block Development Officer functions as the Secretary to the Chief Executive Officer of the Panchayat Samiti and its Standing Committees, but will not have the right to vote.

(Area) : The area of the Samiti is co-extensive with the area of the Block.

Functions and Powers :

The Act lays down the powers and functions of the Samiti in an Appendix section 13 of the Act states that the samiti will exercise such powers and functions as are transferred to it by and under the Act by the State Government including those exercised by the former District Boards.

The Samiti have separate Standing Committees to deal with the problems of -

- (i) Agriculture, Animal Husbandry, Co-operation and minor irrigation;
- (ii) Education, including social Education, local arts and crafts, small savings and cottage industries.;
- (iii) Public Health and Hygiene,
- (iv) Transport and Communications,
- (v) Finance and Taxation and
- (vi) Social Welfare and Programmes for the weaker sections of the community including women and children.

Other Standing Committees may be set up by the Samiti with the prior approval of the Zila Parishad. Every Standing Committee has a Chairman.

Pramukh and Up Pramukh :

Every Panchayat Samiti elect a Pramukh and Up Pramukh from among its members. The Up Pramukh will take over the functions of the Pramukh during his absence. The Pramukh does not only call meetings of the Samiti but has supervisory powers over the Block Development Officer for giving effect to the decisions of the Samiti or its Standing Committees. He even submits annual reports to the Collector of the district on the work of the B.D.O. In emergencies, the Pramukh have the power to take decisions on behalf of the Samiti or of its Standing Committees in anticipation of the approval by the Samiti or the Standing Committee.

The Zila Parishad:

Area: The area of a Zila Parishad is co-extensive with the district.

Composition: The Pramukhs of all the Panchayat Samities in the district, the members of the State Legislature or Parliament elected from or living in the district, three persons elected by and from amongst the members of Municipalities and Notified area Committees in the district and two persons elected

by and from amongst the members of Managing Committees of Central Co-operative Banks in the District besides a nominee of the State Panchayat Parishad constitute the Zila Panchayat Parishad. In case there is no women member or member of scheduled castes or tribes, with a population of 5 per cent or more of the total population of the district, the Parishad co-opt three women and one member each from the Scheduled castes or tribes concerned.

The Zila Parishad have a President and Vice-President elected from amongst its members except the legislators, municipal commissioners and the nominee of the State Panchayat Parishad.

Like the Panchayat Samiti the Zila Parishad have standing Committees for the different subjects in its charge, like (i) Planning, Community Development and Communications, (ii) Agriculture, Co-operation, irrigation, animal husbandry and electricity, (iii) Industries, (iv) Education and Welfare (v) Finance, (vi) Public Health, etc.

The District Development Officer is the Secretary of the Parishad and of its various committees, without the right to vote, and is under the administrative control of the President of the Parishad, who have general supervisory powers over the Panchayat Samities. Like the Chief of the Panchayat Samities in relation to the B.D.O., the President of the Parishad submits

annual reports on the work of the District Development Officers.

The functions and powers of the Zila Parishad are (i) allotment of funds granted by the State Government among the Panchayat Samities or Blocks (ii) Scrutiny and approval of the budgets of the Samities, (iii) Scrutiny and coordination of Plans drawn up by the Samities and general guidance of their activities, (iv) regulation of relations between Gram Panchayats and Panchayat Samities and to (v) formulate plans for the district as a whole and act as an advisor to the State Government in relation to development work. The State Government may, of course, charge the Parishad with other functions as well, according to need.

The State Panchayat Raj Board:

An important innovation of the Bihar Act is State Panchayat Raj Board of 15 members, ten of whom are legislators elected by the Assembly and the Council, one nominee of the State Government, one representative each of the Bihar State Co-operative Federation and the Bihar State Panchayat Parishad, besides two of the Presidents of the Zila Parishad in each Division of the State by rotation in alphabetical order of the names of the Parishads.

Section 60(8) of the Act indicates the following functions for the State Boards, viz. (i) Advising the State Government on important questions of planning and policy relating to Panchayat Samities, Zila Parishads and allied matters; (ii) A general

review of the work of the Samities and the Parishads ; (iii) Any other matter that may be assigned to it by the State Government.

This state Board have much utility other than acting in an advisory capacity to the State Government in view, firstly of its composition, and Secondly, the fact that the Secretary to the department of Local Self-Government of the State Government acts as the Secretary to the Board.

Conclusion:

Except for the variations taken note of the broad features of the Panchayat Samiti and the Zila Parishad conform to the principle or Democratic Decentralisation laid down by the Study Team. Indeed, the Bihar Legislation in certain respects goes one step further by placing the official machinery for developmental work in the Blocks and the district headquarters more under the control of the non-official than what the Study Team had visualised the initiative to lie largely in the hands of the officials under the leadership of the Collector or Deputy Commissioner, the Zila Parishad merely serving as the co-ordinating agency, performing some of the functions of the District Development Committees. The Study Team had laid the principal emphasis on the Panchayat Samiti as the main agency for development. The Zila Parishad, in their scheme of things, was to have no executive functions. The Bihar Act takes the Zila Parishad with its President aided by the District Development Officer to a more

responsible position. Thus, in place of the two tier structure emphasised by the Study Team there emerges a four tier structure starting from the Gram Panchayat and ending with the State Panchayat Raj Board with the State Government at the top of them all. The net effect has been a de-officialisation of the initiative and leadership in the work of development. While this may be alright at the lower levels, as visualised by the Study Team, i.e. the Gram P-anchayat and the Samiti, it has yet to prove that it will improve matters at the district level.

This attempt at the combination of official machinery and non-official leadership and control, wherever successful, has undoubtedly proved to be a landmark in the evolution of democratic decentralisation. The crucial element in this whole structure has, of course, been the relationship that grows between the non-official and the official hierarchy. This unfortunately at times got into wrong channels, as the non-officials developed tendencies towards excessive bossism, rural development, at times suffered more than what has been bargained for. The Balwant Rai Study Team had also stated that "in the ultimate analysis, the establishment of the Panchayat Samities with a wide devolution of powers by the State Government had to be an act of faith - faith in democracy". One can only hope that this faith will be sustained by posterity.

The details above reveal that the New Thrust in Democratic Decentralisation should be --- man-oriented, community - centred by training the rural folk and non-official involved to function more democratically and effectively. In fact, ultimately our success would be judged if life at rural level is made happy by ensuring at least economic minimum for one and all.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY FIRST MEMBERS' ANNUAL CONFERENCE - 1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

BY: KRISHNA NANDAN SARAY
PRINCIPAL (Rtd.) DEOGHAR COLLEGE &
VICE-CHAIRMAN SANTHAL PARGANA
IIPA LOCAL BRANCH,
B. DEOGHAR.

Democratic Decentralisation through Panchayati Raj has been discussed a great deal in the country and all State Governments have passed statutes constituting the machinery to secure effective participation of the people in administrative problems below the level of State Government with Varying emphasis, degree of enthusiasm and points of view becoming apparent. The advantage of a basically uniform design are obvious in the present context of rapid social change and the emergence of fissiparous trends.

2. The conscious and organised movement for freedom from foreign rule has extended over the first half of this century. Throughout the movement there has been emphasis on self sufficient and self governing small communities as the essence of Swaraj. Independence from foreign rule was sought not as an end of itself as in the case of some other countries, but as the necessary first step in achieving a stable, happy and harmonious

society. The fact that "freedom from" foreign rule was looked upon as the beginning of "freedom to" build a better society, explains the greater progress India has made compared to other similarly situated countries. This has been reflected in our Constitution and post-freedom policies of Government. The main objectives have never been in doubt. Only the programmes and methods of achieving them have come in for discussion.

3. The Constitution provides the basic objectives, necessary safeguards for protecting them in the form of fundamental rights and positive aids in achieving them in the directive principles of state policy. It provides besides the machinery for administration at the Union and State levels including the legislatures, the executive and the permanent administrative machinery. The democratic checks on the executive in the form of an independent judiciary, audit, election Commission and the Commissions for public services are there. The structure at each level is of the Parliamentary type of democracy somewhat on British model but with a basic federal pattern. Apart from the Directive principle that the state shall take steps to organise democratically decentralised village panchayats and endow them with such powers and authority as may be necessary to enable them to function as unit of self Government.

9. A systematic development of rural areas has been taken up as a national policy of democratic decentralisation and a vast national pattern of uniform administrative structure developed and extended almost throughout the country in the form of the national extension service. This machinery is trying to bring to the people awareness for the need for better living, benefits of technology and a social education that shows the advantage of corporate life in a progressive community. The vital decision was taken at the outset that these extension services should promote rural development through educative processes of self help in the people and not by direct action. One of the main targets of the National Extension service was to promote public participation in selecting and executing schemes for the benefit of each local community. This promotion of welfare of the individual and the community through the educative processes of self help has established the democratically decentralised nature of the development processes. The freedom of the individual and the community to adopt or reject various alternatives placed before them was clearly there. This movement for the development of the communities has shown among many other things that the rural citizen wants to take a share in the management of his community's business.

10. These factors more than others have led to the demand that administrative at the levels below the State Government must be more responsive to the needs of the people and that the local

people must have an effective say in the management of local problems. The urge and the enthusiasm to build a better society should come continuously from the people, the leaders should guide the urge and shape the action to be taken and the permanent public servants should execute efficiently the accepted programmes of action, this is the basic design of a successful decentralised democracy and the best guarantee for the integrity of a nation.

PANCHAYATS IN THE PAST:

11. The history of the local self-government in this country goes into the distant past. "The local bodies of ancient India " according to Radha Kumud Mukherjee were not "the products of decentralisation operating the sphere of central unitary State." The Indian polity so far as it is possible to generalise in respect of regional zones of this character was therefore, in its final development, neither pluralism nor monistic in its trend and type, but a balanced synthesis of three distinct and co-existing elements., the State with its jurisdiction as represented by the Danda, the individual on the road to freedom (Mukti) and the various intermediary groups, functional local or voluntary connecting these two poles by means of their own Dharma their special "Codes and customaries". Many caste panchayats and guilds of artisans following a particular profession had been elaborately developed from time to time in various areas to control and guide the social activities of their

members. Some of the more prosperous ones executed schemes of benefit for the whole community. There is also evidence of village administration in which all the castes and classes of a village were represented and which through the various committees looked after the communal problems of the area. Tanks and irrigation works and maintenance of temples seem to have attract considerable attention. The administration of justice was definately there. In all civil and criminal cases tried by the committee for justice and appeal lay to the king. The preservation of internal security and in a few cases even problems of external defence were taken up by these villages committees but they had often to invoke the aid of the king when these problems went out of their control. Persons were selected to the committees on their past character and proficiency and the system guaranteed representation from each part of the village in one or the other of the committees. The Committees were elected only for a period of one year. The problem of undesirable content at election was apparently solved sometimes by choosing the successful candidate by lottery from among several representatives nominated for each area. Social opinion in favour of the local administration was built up systematically and those that disobeyed were branded as Gram Drohi and punished with banishment and sometimes confiscation of property as well. The king was expected to respect foster and support the laws and views and customs of the village communities and to accept them even when they went

against his own law. While society and the modes of living and the needs of administration have greatly changed in the last thousand years its past history indicates not only the existence of successful self government at lower levels but also the basic forms of self Government that will fit the racial memory of the Indian villagers.

12. Modern village panchayat legislation started only very recently in the last forty years. Municipalities and district boards dealing with urban and rural problems over a large area are some what older. These institutions had restricted powers and functions to perform and were very much subject to control guidance and supervision by the State Government. The best local talent that had not been absorbed in the public services and professions entered these fields but with the development of provincial and central legislature most of these men shifted to wider fields in the top levels. The finances available were meagre. There was not the willingness and capacity to tax the local people successfully for meeting the expenses of all the expending work. With the arrival of freedom at the top of levels there developed a new trend to ignore or interfere in the levels below. The mistaken notion spread that with freedom at the top for managing the country's business, public participation in the local problems was not of importance. Instead of improving these institutions State Government abolished all the district and local boards. The community development movement which

started only some years ago has covered more than three quarter of the country. It recognised that only the participations of the people as a whole of an area only can ensure continuity, enthusiasm and efficiency in rural development and stressed the importance of involving democratically decentralised gram panchayats. But in large areas there was no gram panchayats and various ad-hoc committees, Vikas samities etc. were created. Inadequately co-ordination between State Departments in charge of gram panchayat where ever they existed and the community development departments showed up. But a firm step was taken in establishing block advisory committees with representatives from the different areas of its jurisdiction and sections of the people including representative of the weaker sections such as scheduled castes and women. This committee, advisory by nature, was accepted in some States as the final authority in matters of deciding different development programmes to be taken up within the budget limits available. The committee on the plan-project on community development has recommended that this should be put on the statutory basis. Whether de jure recognition was necessary or de facto recogniti-recognition would be adequate used to be a matter of controversy.

13. Administration since independence has revealed a deplorable trend to centralisation of powers at higher and higher levels which is incompatiable with democracy. In a country of this size federal centalism must necessarily mean federal bureaucracy.

urbanisation and industrialisation trend to centralisation also. But all the time the desire not only for better administration but for self management and greater participation in administration is fast developing in rural areas and it has developed to such a pitch that it can not be denied any longer. The time seems to have arrived for real democratic decentralisation. For effective self Government at the lower levels. The ideology political integrity and administrative competences of Governments in power in different States and the centre will vary a great deal from time to time and as these differences multiply concepts of common citizenship and nation hood may well go down. The compulsory creation of self governing bodies at different levels with a basically common pattern a separate list of powers in which they and not others should initiate action, definition of liability of Governments at the centre and State to consult such bodies and take their views into account on specific matters, the fundamental rights of these bodies to function in their own sphere without interference except in specified circumstances and their right to statutory powers to discharge such duties and to adequate finances for their functioning and the broad basic principles on which such bodies should be constituted, all these should be laid down in the Constitution. Centralisation and decentralisation of powers in cycle seems necessary as power inevitably corrupts the level at which it is concentrated. The present spate of legislation in various States

needs to be examined to ensure that the right approach to democracy is taken, that powers, personnel and finances are guaranteed for the working of the democratically decentralised little democracies and that frivolous interference with them can not take place nor is the general picture not lost in the hurry over detail.

14. The present position at the district level is unsatisfactory. District Boards have been abolished or superseded with the permanent civil servants in charge under the supervision of the District Officer to carry on the minimum function of the boards. The District Boards were confined to the construction and maintenance of a few unimportant village roads, the maintenance and grant of funds to rural dispensaries and running of primary schools throughout the districts. All this was quite inadequate for the country and with planned development this archaic system became out of date. The district boards had neither the funds nor the administrative efficiency to improve these three cardinal services of communication, health and education to the people and several State Government started "Provincialising" some of these institutions and starting several more as State Institutions. The net result was that the district boards died a natural death and were over-shadowed by the newly increased services and institutions. The present ad-hoc arrangement is for carrying on the works to be discharged by the district boards.

The Future:

40. Legislation by itself though no doubt useful in ensuring a certain amount of uniformity can not initiate and guide a large movement like this persistent, prompt and positive education of the rural citizens and their leaders in all aspects of democratically decentralised community and particularly in social administration is essential if the scheme is to have a chance of success. Institutional training for the office bearers at all levels as well as the public servants working with them must be undertaken on a vast scale. Combined courses on the common ground will be a great advantage in right orientator.

It is therefore, apparent that the new thrust in Democratic Decentralisation lies in an outlook of objectivity and the capacity to see the picture as a whole rather than short time local reactions or electoral prospects and willingness to serve the people particularly the rural folk at the grass root level.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE- 1987

DECENTRALISATION TOWARDS DEMOCRACY AT DISTRICT
LEVEL BY K.R.N. SAHAY, LIFE MEMBER OF IIPA, PATNA

SYNOPSIS

1. "Freedom" & "Democracy" were unknown words in India.
2. The Constitution of India and fundamental rights of citizen.
3. Mahatma Gandhi's ideas of Home Rule and Gram Swarajya and our failures.
4. The Block development Officer.
5. India has never had any democracy.
- 6, 7. The planning & implementation of development schemes
& 8. in our villages.
9. & Conclusions.
10
11. Bibliography.

DECENTRALISATION TOWARDS DEMOCRACY AT DISTRICT LEVEL

BY: K.R.N. Sahay, Life Members of IIPA.

1) India is an ancient subcontinent, and it nurtures people having different types of cultures, many languages, and multifarious societies. In actual practice, it will not be wrong to say that we have a collection of states under a "federal structure". We are peoples belonging to different ethnic, social, cultural, religious, economic, and linguistic groups. The government that we have at present is in a broad sense federal in character, Despite over three decades of continuance of the federation, many of the groups have not overcome their primitive centrifugal tendencies, and have been agitating more or less to secede from it on ethnic, religions, linguistic and such other pleas.

The words "freedom" and "democracy" are imported words, taken from the English language, and the import of these words are not even now understood in our country specially in the rural areas. Even the concept of "Freedom" is, in reality not understood, because, to quote Jawahar Lall Nehru, "Freedom brings responsibility" Today, "responsibility" has become an unknown and forgotten word in our own country.

Lokmanya Tilak used the words "Swatantrata", Shivajee used the word "Deshdharma". In the times of Ashoka, Pali Scriptures mention the word "Dhamma".

In the European countries the concept of state craft was based on king, church and the Royal army, till the French Revolution. In many cases, there were wars between two countries or more, for a number of years, and the people badly suffered in the long run.

2) A "Government for the people", "of the people" and "by the people" forms the essence of our constitution and our fundamental right under the constitution of India to all citizen of India without any consideration of race, colour, creed, religion, caste, or religious belief. Sovereignty rests with the people of India, and is exercised through franchise.

In actual practice, we find that money, muscle-power, and such factors as religion, caste, language, determine the voting pattern in different parts of our country. In forty years of so called "Elections", we have moved fartheraway from Freedom & Democracy and we are now on the frink of a complete disaster.

3) The original idea of Mahatma Gandhi, the father of the Nation was "Gram Swarajya". Treating village as a complete small unit of the state, he visualized the Gram Panchayat, village Primary & Middle schools, Khadi Gramodyoga, and sale of the village produce to meet the other needs of the villager. Even salt, he said, you must make it yourself. The modern idea of mass production and a distribution system in respect of consumer goods to meet the requirements covering a larger area was just talked about in the thirties and forties of this century in India. So, I may be allowed to say that various other factors like roads,

transport, marketing and bank financing of Commercial and business activity are matters of recent growth and development, need very careful handling. These later developments have therefore created a wide gulf between our original concept and our present practice.

Gandhian ideals of "Home Rule" and "Gram Swarajya" are now matters of research; they have no relevance in the Seventh Five year plan.

4) The concept of "Gram Swarajya" can only take shape when the village administration is run by really efficient persons at all levels. It is also true that lack of efficiency dishonesty, and inability to properly understand the rules regulations are at root of our misery in the villages of Bihar.

We have not been able to conduct regular Panchayat Elections, . It seems we are in a dilemma, as to whether we should hold these elections or not. Does it not show a complete lack of democratic thinking among us?

5) While the all mighty Block Development Officers has been vested with very wide powers along with other officers at the Block level, there are certain impediments that stand in our way to progress. I am trying to mention a few of them not with any malice, but with sincere regrets.

(a) The presence of old feudal out look among our Officers which most of them find it very hard to overcome, and they do receive the support of other superiors who think and act the same way.

(B) Lack of proper enthusiasm for development on the part of both villagers and village workers. They are overawed, ignorant, and apt to go in the wrong direction.

(C) Lack of planning experience.

(D) Lack of administrative capabilities in the Panchayats, Schools and other local self-government bodies. Improper functioning of village cooperatives, sometimes a complete absence of it.

(E) Malfunctioning of the Panchayat Raj Act. It may perhaps be better to repeal it and get rid of a bad dram.

6) There never has been a truly democratic system working in India. In the Hindu period, the king used to appoint their own kith & kin to govern the smaller units of their kingdom, principlality, or a chief of his durbar was vested with the powers of a prince and given more important assignments. In the Muslim period, Pathan & Mughal rulers did the same thing. In the British Period, for a long time the East India Company confined itself to army operations and revenue collection, till the British Crown took over the administration. Then the personnel of the Indian Civil Service cadre principally the British District Magistrate down to the British Sub-divisional -Officer ran the administration in a despotic manner. The Zemindar looked after the village under permanent settlement. Revenue, Health, education and irrigation were taken care of by the District Offices. This administrative organisation is recent history. Between 1947 and

1987(40 years) former Subdivisions have now become districts of states have resulted in powers being vested in the Vidhan Sabhas and Vidhan Parishads whose members (M.L.As & M.L.C's) are now being allotted one district by the C.M. of the state to supervise the implementation of 20 point programme, NREP, Rural Engineering road projects, Food for work programmes and other minor local projects. Since, after independence the over all control of and the governance of the State have been made subject to the legislative and executives powers of the State legislatures.

If we go deeper into the matter, we will find unsuitable persons occupying very responsible positions. Lack of propriety docorum, and misuse of power is rampant and our society is in turnoil.

7) The total involvement of the developmental pgorammes at the village level has to be pursued by older citizens of eminence from among the rank of administrators including the selected ones from doctors, engineers and heads of schools etc. who have the proper background of having done sincere work in the implementation of developmental schemes. Leaving this work in unknown raw hands will lead to chaos. They should receive the sincere cooperation of the local government officials, in their work and have sufficient power to implement and excute the schemes.

8) The planning at district level has to be done by district planning committee under the District Magistrate. Formerly, the Zila Parishad had very wide powers and they used to carryout some of the work of development. ~~The entire Zila Parishad set up~~

gradually deteriorated to such an extent that it has now become impossible to make any progress. It is hoped that the Vikas Bhavans now being set up shall be able to make some head way in the correct direction.

9) Our education, economy, industry, commerce, health and family planning have to progress in a coordinated fashion to enable us to reach the 21st century of the national targets. For this it is most necessary to evolve a proper machinery and a suitable strategy to bring about, :-

(a) Confidence among local people (b) Honesty of purpose

(b) Training of the democratic way of thinking and the curbing of violence where needed. Tolerance is the need of the hour.

10) It also felt that for the entire democratic process to take shape in our own state of Bihar, a peaceful political climate is necessary. At the same time the essential feature of proper dialogue to openly discuss issues of political importance is required. In the absence of the above mentioned two features, the entire effort done may end in an exercise in futility, and a fiasco. So, we have to wait and watch and take the required steps at the correct time. I pray God such a moment may come in the near future.

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INDIAN INSTITUTE OF PUBLIC ADMINISTRATION

NEW DELHI

Members' Annual Conference - 1987
(October 31 - November 1, 1987)

The Theme:

New Thrust In Democratic Decentralization

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DEMOCRATIC DECENTRALIZATION AND DEVELOPMENT :
Challenges and Response

By

OM PRAKASH SETHI

DEMOCRATIC DECENTRALIZATION AND DEVELOPMENT :
Challenges and Response

By

OM PRAKASH SETHI *

The ideology of development is an approach distinguished by its faith in governmental leadership and planning, by its faith in the competence and helpfulness of the developed countries, and by a comprehensive appreciation of the needs for human development and social change. In goals and methods, it is a vision of rationalization.... The rationalization is to be more consciously directed process, resting on comprehensive scientific analysis of what must be done and the deliberate training of men for new tasks and new ways of behaving.

- F.X. SUTTON

Introduction

Democratic Decentralization has come today to mean not just a 'movement', away from or the reverse of the Centralization. But, it is an improved organization, which is efficient in operation and forward-looking in its outlook, style and management. And, the democratic norms are not set aside. Yet, decentralization stated and adopted in its very extreme terms is totally ridiculous and very much impracticable.

To understand and appreciate the meaning of the term, the Chamber's Twentieth Century Dictionary helps us as it defines Decentralization as: "To transform by transferring functions

*Teacher-Fellow, Department of Political Science, University of Delhi.

from the central government to local centres". Democratic Decentralization or Administrative Decentralization, therefore, is defined as the minimization of decision-making at the very apex of the administrative hierarchy - which is the highest and central point of authority. And, decentralization, allows maximization of the delegation of responsibility and authority in the making of decision at the very bottom - the lower levels of administrative management.

Of late, development has become the idiom of the age. But, it is a simple word, which stands for growth. Yet, in recent years, it has acquired highly complex or technical meaning.

According to International Labour Organization (I.L.O.), development involves 'humans' as distinct from 'material produce'. It is defined as a process, which involves improvement in the quality of life of the people - especially of the weaker sections. And, a larger participation and involvement of the masses in the process of decision-making in the economic, social, political and cultural life of a society.

The Preamble of the International Development Strategy for the Second United Nations Development Decade spelled out the aims of development in 1970, as:

The ultimate purpose of development is to provide increasing opportunities to all people for a better life. So, it is essential to bring about a more equitable distribution of income and wealth for promoting both social justice and efficiency of production, to raise substantially the level of employment, to achieve

a greater degree of income security and to expand and improve facilities for education, health, nutrition, housing and social welfare, and to safeguard the environment. Thus, qualitative and structural changes in the society must go hand-in-hand with rapid economic growth, and existing disparities - regional, sectoral and social - should be substantially reduced. These objectives are both determining factors and end results of development; they should, therefore, be viewed as integrated parts of the same dynamic process, and would require a unified approach....

Carry Jacobs has gone little deeper when he observed that the development is not a programme executed by (merely) government, but a social movement of the entire population, initiated, guided and led by government. Development calls for information, education, training, organization and administration at the widest possible level.

The Challenges and Response

The needs of the developing countries like India are clear enough now. Overall development is required on a very wide front to remedy poverty, ill-health, illiteracy, ignorance and superstitions. It is a huge and a very ambitious ^{task.} To meet these challenges, there must be a substantial increase in the national income; which could only result from enhanced agricultural and industrial production. These in turn would require a very wide spreading of the burden. For government cannot achieve development in vacuum. Yet, to achieve these goals and get co-operation from the people, the government must be prepared to demonstrate new and innovative methods,

novel skills and latest technologies to involve the latent energies and enthusiasms in the people en masse.

To bring to the rural areas, the vital services of health, education, sanitation, drinking water, roads, communication, increased agricultural output, in short, good quality of life, the government must deconcentrate. To seek to the changed ways of life, it must persuade by demonstration. And, also provide the required initiative and leadership. This all could merely be achieved through a deconcentrated system of administration. But, ultimately, the government must arouse a new enthusiasm and a novel system of administrative approach. Further, the long term support to these programmes is a must; if they are to be sustained, maintained and even widened. And, this could be achieved only by devolution. Local authorities provide the opportunity for the local people to participate in local decisions and local schemes. For, they possess the intimate knowledge of local resources, needs and problems. The local centres of initiative and activity must be encouraged, as they are the only institutions conducive to the development. Because, they represent, the virtual, 'felt-need' of the masses at large.

Our vast experience of not less than four decades of post-Independence era has taught us that it has become increasingly clear, that the success of the developmental

plans and programmes is crucially dependent on administrative capability. This also includes the development of human resources - their training and participation in the developmental activities. The failure of many developmental programmes and projects is mostly due to administrative obstacles, constraints and approach of the administrators. These problems are mostly encountered at the field level. For, there is a vast gap between our paper-planning and the planning at the ground level.

Any project or programme designed to achieve the process of development at field level, must necessarily involve a degree of decentralization of governmental authority and responsibility from the central or nodal agencies of the government to the operating agencies at the field level. Such decentralization could be achieved either by the appropriate delegation of authority to the field officers at the local level, or by the devolution of authority to the appropriate local authorities. So far, much lip-service has been paid to the need for the delegation or devolution of governmental authority and responsibility as a means of speeding up the development process at the field level. But, in actual practice, very little real delegation or devolution has occurred. The worst is, tasks and responsibilities which have been given to the lower levels of the administration are just nominal; while the effective power and authority, necessary for discharging these tasks and responsibilities

have been retained at the Centre. "Democratic Administration, as a collective activity directed towards the attainment of a specific goal in a democratic way", remains only in the files. The claim of the democratically ~~thinking~~ scholars that "it is a particular system of administration which recognises the people as the masters", has totally failed in its objects.

One can fruitfully utilise the analytical framework suggested by Ordway Tead in this context, when he explains it in this way, "Democratic Administration is that direction, which assures:-

- (i) that aims are shaped in the making,
- (ii) that working policies are agreed to by those involved,
- (iii) that those, who participate, feel both free and agree to contribute their best efforts,
- (iv) that a stimulating leadership is assured, and
- (v) that, in consequence, the total outcome maximises the aims of the organization, while also contributing to the growing self-hood of all involved in terms of clearly realized benefit".

Conclusion

To make the concept of Democratic Decentralization in the developmental processes a fascinating, non-technical, balanced, pragmatic and positive, the planners and

policy-makers at the helm of the affairs would have to bring structural changes in their attitude. They will have to develop the concept of making development more meaningful for the masses of this vast country.

To sum up, G.E. Calden has suggested several 'don't's', which should be kept in view while evolving overall reform strategies for decentralized development. These are, "a bad beginning; imitation, not innovation; incorrect diagnosis; hidden intentions; indecisive approach; faulty planning; unduly restricted techniques and instrumentalities; inability to command resources; absence of feedback; no monitoring; evaluation and goal displacement."

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INDIAN INSTITUTE OF PUBLIC ADMINISTRATION.
New Delhi - 110 003.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1997.

NEW THRUST IN DEMOCRATIC DECENTRALISATION.

A
Theme for IIPA Member's Annual Conference
1997.

By

J. P. SINGH.
M.A. (Public Administration)
Indian Airlines, Gauhati Airport,
GAUHATI - 781 015.

NEW THRUST IN DEMOCRATIC DECENTRALISATION.

J. P. Singh, M.A. (Public Administration)
Indian Airlines, Gauhati Airport,
Gauhati - 781 015 (Assam).

Change alone does not beget progress, but without change there can be no progress and it was the basic principle to introduce ' New Thrust in Democratic Decentralisation' in the shape of 21st Century in present era. New thrust was basically on these area for immediate disposal, which are as follows:-

Planning Commission

Agriculture

Industry & Commerce.

Review of Economic Growth with special reference to decentralisation of the establishments.

Expansion of Education at the turn of the Century.

Employment

Roof Overhead (Housing Problems)

Technology & Science.

As we are aware about the Maslow's law of NEEDS and here, we find the same is applicable in other forms called Basic Need etc. Our democratic set up is the largest democratic Set-up in the world, and there is no doubt in it. There has not been any change in the democratic set-up but it was felt that there is a thrust to deploy its potential in a decentralised manner. Though it is true that the decentralised system will help for rapid growth but side by side it has been observed that a Strong and stable Central is required to distribute it universally throughout India. The local influence and Son of the soil principle will not help much in favour of DECENTRALISATION, a process in which we may get the entire set-up in each and every State. As a

matter of fact, the Centre - State Relations, more power for State are the origin of decentralisation and it is increasing gradually according to need in the present era.

Conclusion:

The thrust for democratic decentralisation is the present need accordingly but there is some problems are too. Decentralisation will pave the way for rapid growth, completion of work will be faster, autonomous tendency will grow in true sense.

Side by side , the strong Centre will check up the localisation of the resources and Son of the Soil tendency, which has some drawback also and it is not at par with the NATIONAL INTEGRATION in India with vivid culture and traditions, which creates UNITY IN DIVERSITY.

So, in my idea, the democratic decentralisation will be in a limited manner and main control and directions will be rest upon to the Central power to distribute it all State as per need and requirements.

Democratic Decentralisation has its own drawbacks. Our Democratic set-up is based on Secularism, Socialism with a parliamentary form of Government. The Constitution has 22 parts with 395 articles and Nine Schedules. It is Unitary in spirit and federal in structure. The Constt. has been amended 53 times to keep pace with the rapid developments and ethos of the people. The country's democratic set-up attaches much ~~import~~ importance to the Constitution. The superintendence, direction, control and preparation of the electoral rolls are guided by the Constitution and thus the roll as a Protector of fundamental rights and distribution of all fescilities is equal with considering caste, creed and race. So the decentralisation will hamper the interests of minorities and it will not serve the purpose in toto like NATIONAL INTEGRATION & UNITY IN INDIA.

COOPERATION AND DEMOCRATIC DECENTRALISATION

K. P. Singh }
+ S. S. Singh } Patn.

The concept of cooperation, like religion and faith contains a distinctive philosophy. Cooperation literary means the act of 'working together'. " It is an act in which two or more persons join together and work for the achievement of a common objective. People cooperate in several aspects and phases of life. A male and a female cooperates with each other to run a house. Such cooperation brings about the existence of a family. A group of families join for the common objective of protecting themselves from inroads of wild animals, from thieves and other anti social elements, for building houses, providing markets and maintaining social peace and order. Such cooperation created village organisations and tribes. The inhabitants of a country, or members of a race or the followers of a religion join hands together to conquer other countries of the world, or to spread their religion. Such cooperation brings into existence Nation and Empires.

So far cooperation as a system of institution is concerned, it is a European innovation in India. It has got a history of 70-80 years only. It has been accepted as a recognised system of economic and political organisation. The theory is accepted by all Political parties of the country. Its use has been and is being propagated by the Governments of pre and post Independent India. The plans have been exhorted upon its use year after year.

The concept of cooperation has been defined from time to time. It is a symbol of socialistic pattern, different from capitalistic enterprises, representing the democratic and laissez faire ideologies. It is pillar of 'equality', 'mutual adjustment', 'self help', and 'better living', of the people in general and the society in particular. Dr. C.R. Fay defined a cooperative society as "an association for the purposes of joint trading, originating among the weak and conducted always in an unselfish spirit on such terms that all who are prepared to assume the duties of membership share in its rewards in proportion to the degree in which they make use of their association". This definition indicates that cooperation refers to the association of the weak, the powerless and the poor to achieve the joint purposes. "But it is absolutely wrong to accept that cooperation is meant for the weak and the poor who lacks resources". In words of Margaret Dighby "it is a good definition though 'Trading' is too narrow a term to cover all the activities which can be carried on cooperatively". Cooperation in modern times is needed by the poor and perhaps by the rich also. Thus it is evident that to limit the cooperative organisation for the weak and the poor is to degenerate the basic philosophy of cooperation which stands for something higher and nobler in life.

Thus, we see that cooperation is a concept of strengthening the socio-economic status of a society or

nation. It has been universally been acknowledged as a first step towards achieving socio-economic justice. It has been given utmost importance in communism, socialism and capitalism as also in mixed economy all over the world. Now a days, developmental planning , placing emphasis on cooperation is deemed a necessity .

Cooperation is " a form of organisation wherein persons voluntarily associate together as human beings on a basis of equality for the promotion of economic interests of themselves. "Social, Political and other interests are promoted along with economic ones in a cooperative enterprise simultaneously. Cooperatives are a type of enterprise holding a composite character with the social and economic elements "formed as warp and woof interworn, therein". It is essentially democratic as it is an organisation of the members, for serving the interests of the members and managed by the members themselves .

As a way of life, cooperation enables the weaker section of the society to face competition from its better placed members on more or less equal footing in various fields, viz., agriculture , industries, trade, business and services. It is imbued with social purpose of equality and friendship, abundance and peace. It has the merit of combining freedom and opportunity for the small man with benefit of large scale management and organisation as also good will and support from the community. It advocates social ownership of the means

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of production and equitable distribution of income. Furthermore, it aims at elimination of exploitation of all kinds, diminishing the power and authority of capitalist and private enterprises and universal brotherhood, peace and progress. The relevance of cooperative movement for bringing out a socio-economic resurgence in the teeth of appalling poverty, unemployment, inequality, ignorance, disease and vested interests is nothing short of heroic battle in which every citizen is a valiant soldier. This is why the minds of our leaders, politicians, planners, administrators, academicians, social workers and all are engaged towards establishing a strong cooperative sector in India.

As a potent instrument of socio-economic change, cooperative institutions exist midway between laissez-faire capitalism, on the one hand and state capitalism, on the other. These are means to an end by organising groups of people with common socio-economic interests, but without access of unlimited capital, to pool and channelise limited resources and skills for betterment of their productive capacity and efficiency and securing freedom from exploitation of arbitrary market forces. The farmers and artisans organised into cooperative can thereby avail themselves of the required credit and inputs, and plying their trades can have access to better technology, modern processing and marketing facilities. The consumers and labourers also can benefit well by coming under the fold of cooperation as in England and Italy. Moreover, the cooperative movement has been treated as a training ground for democracy which is so

dear to our people. Therefore, it is the ripe time to study whether and if so to what extent cooperation has played and can play a role in achieving the goals for our people.

The success and safety of every democratic organisation depends essentially on education which forms a life-long process and enables an organisation to be self reliant, self governing and highly developed in a shorter span of time. All persons, members, officials and prospective members of cooperatives "need to participate in this process of education are re-education" As Vaidyanth Lal Mehta put it, a cooperative enterprise "subsists not on official patronage, nor on advertisement campaigns, nor on press stunts, but on the enthusiasm and energy of the various humble individuals comprising it and on the feelings of the sympathy generated in the public mind." Furthermore, "to arouse the enthusiasm of its component units and to awaken the sympathies of the general public two things are necessary: instruction and propaganda." Thus, it is the prime responsibility of cooperative institutions, their leaders and supporters to foster such education and instruction for boosting the cooperative sector. Therefore, one must be conversant with the principles and practices of cooperation particularly in a democratic set up.

(Dr. G. P. Singh
Principal
A. N. College, Patna-13)

(K. P. Singh, Head P.
Dept. of Pub. Admin.
A. N. College P. Centre
Patna-13)

Mailing Address
Dr. K. P. Singh
SHEIKHPURA HOUSE
PATNA-800014

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

SYNOPSIS

NEW THRUST IN DEMOCRATIC DECENTRALISATION

By

Dr. J.K.P. Sinha,
Honorary Secretary,
Indian Institute of Public
Administration,
Bihar Regional Branch,
Patna-800 003.

New Thrust in Democratic Decentralisation should be for obtaining local people's active participation which have hitherto been almost negligible. In fact, democratic decentralisation in India is facing challenges of creating new thrust - openness, subtlety, sensitivity and intimacy in relationship, increasing organisational value and ethical conduct and organisational commitment to egalitarian relationship and distribution of power wholistic concern and higher valuation of the human potential for self-directed actualisation, developing collective capacity for effective team work and co-operation, generating human motivation and involvement, facilitating human satisfaction and, in general, creating a culture of humanistic innovation and productivity.

And in this context, it is essential to have a peep into the historical origin of Democratic Decentralisation in modern India.

Democratic Decentralisation in some form or other throughout the long history of India, is no exotic in India and throughout the ages some traces of it lingered in the villages. The British continued the tradition, but introduced new ideas and institutions.

When the Britishers conquered the country, they established a centralised form of administration in their conquered territories ignoring the indigenous political institutions of the country. The Charter Act of 1833 had set up a most centralised system of administration in the country. But this was not to go a long way. By the end of the first half of the 19th century, the system had started cracking. The main causes which brought about changes in the administration and Government policy of the East India Company were (i) the Revolt of 1857, (ii) the spread of English education and the rise of an educated middle class in India, (iii) the impact and influence of British liberalism, (iv) the establishment of political association throughout the country.

The Revolt of 1857 was a turning point in the history of British India. Directly, it resulted in the end of the Company's rule and transfer of Indian empire to the British Crown. Indirectly, it brought about many unprecedented and unthought of changes. Among the indirect results of the Revolt was the realisation by the British Government that the introduction of some sort of decentralisation in Indian administration was necessary.

The system of financial decentralisation inaugurated by Mayo attained its culmination under Ripon. Ripon was a fine specimen of British liberalism, which played a conspicuous part in the political and constitutional development of British India right from the transfer of Indian Empire to the Crown. The liberals and 'friends of India' group in the British Parliament always pleaded that the Revolution of Ripon vested considerable responsibility to the units of Local Government. It was a laudable measure which marked the real beginnings of democratic decentralisation in India.

Democratic Decentralisation at the outset simply implied 'Community Development Programme', particularly in rural areas. In fact, community development is a people's programme with government's participations. For it is aided self-help method aiming at creation of a permanent process for the socio-economic transformation of the entire village-life; 'aided', because it is implanted growth process, as is implicit in the very concept of community development; and self-help, because it is ultimately the villages and their organized and representative institutions which have to frame and execute plans in the interest of local population.

Interest in Democratic Decentralisation arises primarily out of processes of modernisation which are going on to-day throughout the world. It deals with administrative problems which arise as Government seek to promote through decentralisation agricultural, industrial, educational, and medical progress, and also to the reforms of Government organisations and bureaucratic procedures which necessarily accompany these processes to grassroot level. The more politically developed a polity, the more capable it is of using administrative reforms to promote democratic decentralisation, but the weaker a polity, the less able it is to absorb the expansion of bureaucratic organisation without being pushed, thereby, towards political decay or retrogression.

All our efforts since Independence for democratic decentralisation in the State of Bihar, visibly stands defeated or one may call it as being "self-defeated". None in particular can be blamed. It, however, cannot be said that we have not done our efforts. All that was possible was done. The importance of the democratic decentralisation and particularly for rural base was well realised as 92% of the State's

population live in rural areas. The integrated approach to planned development began with the establishment of the Planning Commission in 1950. Extensive National Extension Service and Development Programmes were undertaken. In 587 Development Blocks of the State, Block Development Officers with a host of Extension Service experts and assistants started their offices in rural areas. The Block headquarters took a new shape of semi-urban pattern. Lots of development projects were undertaken but their out-put and results have been rather disappointing. The fault did not lay on any one individual. But the entire administrative system for development did not fit in with the job, it had to perform in, our country.

The first and the foremost issue that attracts our attention is the personal policy and staffing pattern of the rural development organisation. A Block Development Officer who was a student of an average merit sits bosses over all. The Doctors, Engineers, Industrial, Agricultural, Animal Husbandry and Co-operative experts who were brilliant topper students of their batches play the second fiddle to him. Inner controversy between the Doctors, Engineers and other development experts and the B.D.O. make the smooth working of the organisation almost impossible. "A rule of jungle" is let loose, the hand of each against the hand of all. They were spending all their time and energies in establishing who was a bigger and more powerful officer among themselves and this alone provided full time engagement to them. They have no time to attend seriously to any development work.

Secondly, the dual control of these different Extension Rural Service experts by their parent departments and the B.D.O. have eroded the 'unity of the command'. The

unbridled-staff, care for none and indulge in serving their ownself in all possible ways at the cost of the neglect of rural development work.

Thirdly, the image both outer and inner of these rural extension service have negatived development of efforts and general 'self defeating' factors in rural areas. The B.D.O. Shaheb' with a bit of bureaucratic air and touch (only if you see him in action in a village) is not positive in engulfing the distance between the people and the Government existing even during the alien Government. On the other hand, it enlarged the gulf and the distance. His image should have been cast as being one among the rural people and not being a "Bara Shaheb", "Chota Shaheb", "Bara Babu" etc. They have not been able to obtain people's willing participation and their involvement in development work. The image is thus "self-defeating" one for rural development.

Fourthly, the power politics from above both the centre and the State with all its group controversies have percolated at village level. And with the patronage of voting constituency, there grew a host of vested-interests and a band of contractors, go-betweens, pawns and the so-called politician's man always busy in swallowing all the development funds allotted for rural development works. Piles of papers and files of papers piled up. Most of the development works have not even touched the ground. The number of wells are such less than the actual number of irrigational projects. The backward and 'adivasi' areas have been a 'prize place' for such free-lance non-existent development works. The poor ignorant non-vigilant adivasis

remained exploited. The up-rooting of zamindari which could have been utilised for rural development works and its substitution by a small bureaucratic block development staff have proved fatal to the rural development. It has resulted in colossal waste of time, energy and money. The National Extension Service, rural development programme envisaged all round coordinated rural development through a team of Health, Engineering, Agricultural, Animal Husbandry, Co-operative experts working together. And for this a B.D.O. who belonged to a non-gazetted rank, at the fag end of his service career journey with a little future service prospects could not be the head and guide the team. In so delivering the goods and making the rural development a reality, the B.D.O. will have to adopt a process of less loss of time, energy and money. Youngman at the advent of their service career with future prospects must be trained and placed in charge of these rural development work in pursuance of the policy of democratic decentralisation. They alone can carry the team to deliver the goods.

The new Democratic Decentralisation calls for (1) Introducing new tupe of thinking about preliminary action appropriate to the needs and stage of development; (2) Converting general aspirations regarding development into a realistic programme of action including goals, works targets, and date-lines based on the character and traditions of the people maintaining a tempo of accomplishment; (3) providing a strategy for development by isolating and emphasising the apparently strategic without getting lied up in irrelevancies and trivilalities, and by a dedication thereto beyond the grip of the practice of the past; (4) Fostering the growth of permanent national institutions capable not only of introducing but also of

supporting changes and new services brought about by development, and encountering successfully deep-seated resistances to change; (5) Showing continuous and constant alertness in generating innovations in policy and procedures, and assuming at least some of the responsibility for carrying them on from the first formulation to final accomplishment; (6) Knowing the difference between action and inaction; that is, alternatives of action, their contemporary and long-range consequences and the effects of inaction and inertia of letting things, take their natural course-between when to stand fast and when to give ground; (7) Devising tools appropriate to cope with disorder which provides the raw material from which new order will emerge in matrix of human caliber, experience and cherished value; (8) Discovering the right perspective for looking at problems, grasping their unifying elements, and achieving correct dynamic formulations based on the awareness that, as public administration can adapt to new demands for country development, by the same time it can also read apt; (9) Striving for ways other than precedent, which will enable the handling of a unique situation uniquely; and (10) Undertaking continuous re-evaluation and re-appraisal of Democratic Decentralisation process. But the bulk of the problem-faced in the Democratic Decentralisation in Bihar can be brought under the following activities:-

1. Agriculture including Animal Husbandry and minor irrigation.
2. Education including Social Education, games, sports and other recreations.
3. Cottage Industries, local arts and crafts.
4. Public Health including sanitation.
5. Communications.

6. Electrification including supply of energy for Irrigation and for Small Scale Industry.
7. Co-operatives, taxation, saving and rural banking.
8. A Special Welfare Programme for Adivasis, backward classes, women youth and little children.

Continuing activity on these clearly defined activities would give stability to Democratic Decentralisation. Legislation, though no doubt, useful in ensuring a certain amount of uniformity cannot initiate and guide a Democratic Decentralisation as such. Persistent, prompt and positive education of the citizen and their leader in all aspects of such development particularly in social administration is essential if a decentralisation is to succeed. Institutional training for the officers at all levels as well as public servants working with them must be undertaken on a vast scale. This can be done by the Indian Institute of Public Administration. Institutes and such other organisations for combined courses on common ground will be of great advantage in right orientation. The old red-tape and routine type of working does not match with Democratic Decentralisation. So long as the people do not become "development minded" and administrators do not change their emphasis, structural or procedural changes and facilities to performance and accomplishment, however far-reaching will not be effective. It is, therefore, necessary to trace, analyse and understand problems of Democratic Decentralisation by a comprehensive Integrated and inter-disciplinary approach.

New Thrust in Democratic Decentralisation, therefore, should be for obtaining local people's active participation who have hitherto been passive and disinterested or were even kept under the ignorant of on-spot developmental

plans and projects by a conspiracy of a group of rural parasites in collusion with unscrupulous staff to grab all fund that came for rural local development works, viz., construction and repairs of roads, culverts, bridges, wells, tube-wells etc. The local people must be involved and their involvement alone can help. There is need for creating a partnership between those who are executors of development plans and those for whom these plans are executed, resulting in people's direct active participation and involvement. Democratic Decentralisation cannot succeed without effective public participation.

From the discussions above, it is proved beyond any shadow of doubt that Democratic Decentralisation in India is facing challenges of creating new thrust-openness, subtlety, sensivity and intimacy in relationship, increasing organisational value and ethical conduct and organisational commitment to egaliterian relationship and distribution of power wholistic concern and higher valuation of the human potential for self-directed actualisation, developing collective capacity for effective team work and co-ordination, generating human motivation and involvement, facilitating human satisfaction and, in general, creating a culture of humanistic innovation and productivity.

And above all, an attitude of productivity is also needed after re-orienting the State Administrative set-up in an officer-oriented system and bidding good bye to the clerical Secretariate type of working with too much notings and comments at too many levels, resulting in red-type file work and unnecessary vexacious delays. It, therefore, simply implies that effective public participation and attitude of objectivity is a must for meeting the challenges of New Thrust in Democratic Decentralisation.

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NEW THRUST IN DEMOCRATIC DECENTRALISATION

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Dr. J.K.P. Sinha, M.A.B.L., Ph.D.,
Honorary Secretary,
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And in this context, it is essential to have a peep into the historical origin of Democratic Decentralisation in modern India as well as the present state of affairs.

Democratic Decentralisation existed in some form or other throughout the long history of India. "Local Self Government is no exotic in India and throughout the ages some traces of it lingered in the villages. The British continued the tradition, but introduced new ideas and institutions.

When the Britishers conquered the country, they established a centralised form of administration in their conquered territories ignoring the indigenous political institutions of the country. The Charter Act of 1833 had set up a most centralised system of administration in the country. But this was not to go a long way. By the end of the first half of the 19th century the system had started cracking. The main causes which brought about changes in the administration and Government policy of the East India Company were (i) the Revolt of 1857, (ii) the spread of English education and the rise of an educated middle class in India, (iii) the impact and influence of British liberalism, (iv) the establishment of political association throughout the country.

The Revolt of 1857 was a turning point in the history of British India. Directly, it resulted in the end of the Company's rule and transfer of Indian empire to the British crown. Indirectly, it brought about many unprecedented and unthought of changes. Among the indirect results of the Revolt was the realization by the British government that introduction of some sort of decentralisation in Indian administration was necessary. This brought home to them by the financial crisis in which the government of India found itself plunged during and after the suppression of the movement.

In the days of the East India Company there hardly existed a properly organised system of financial administration in India. The financial history of the East India Company was one of the chronic deficit. The Revolt made the Company's government more bankrupt.

Its supersession and the restoration of peace and order involved an additional £ 42,000,000 to public debt. The difficulties of the Government were aggravated owing to the constant and pestering demands of provincial government because the provinces had no powers to raise taxes independently.

In order to avert this financial crisis and save the Government from total bankruptcy "no reforms were more urgent than the establishment of an efficient system of public accounts and of strict financial control. And consequently in 1860, James Wilson, the first Finance Member of the Governor General's Council under the crown, brought about certain financial reforms. In its anxiety to prevent extravagance it imposed rules of such stringency that all financial powers were concentrated in the Central Government. The Central Government was given extraordinary financial powers and made the only custodian of the entire revenues of the Indian Empire. "The whole of the revenues of the British India were treated as belonging to a single fund, expenditure from which could be authorised by the Governor General in Council". Provincial governments were denied any voice in sanctioning fresh changes. This produced a deadening and stagnating effect in the financial system. Such was the extent of financial control that "if it became necessary to spend £ 20 on a road between two local markets, to build a stable that had tumbled down, or to entertain a menial servant on wages of 10 a month, the matter had to be formally reported for the orders of the Government of India.

Besides this the Central Government was empowered to make changes in the system of provincial administration which affected the interests of the people and reduced the income derived by the Government. But this did not improve matters. On the contrary, these measures resulted in retarding the very aim of the reforms, to establish strong and efficient financial system. It led to central interference not only in financial but also in administrative details with which the local authorities were alone competent to deal. "Under these circumstances" wrote John Strachey "the distribution of the public income degenerated into something like a scramble in which the most violent had the advantage with very little attention to reason; and as no local growth of the income led to local means of improvement, the interest in developing the public revenue was also brought down to the lowest level. Thus the continuous deficit aggravated by the Revolt expenditure existed till 1870. The chronic deficit between 1860-70 necessitated adoption of a new policy which might lessen the expenditure of Central Government on some administrative departments, and serve as an efficient instrument of relief to the Imperial finances. In 1861, Samuel Laing, while curtailing the grant for roads, canals and other useful works, addressed the provincial governments thus "Take what we are able to give you and for the residue take certain powers of local taxation and raise it yourself". His idea was that local taxation "would greatly foster the growth of municipal institutions".

This statement was a clear departure from the previous policy of strict centralization of Imperial finances. Again in 1864, presenting his financial statements Charles Trevelyan stated "Local agency and local sources which are as multifarious as they are of interest to the whole of India". This brought to the fore the distinction between Imperial functions and finances on the one hand and the local on the other. Two years later in 1866, when the budget showed a deficit, Massey transferred to the Provincial Government's charges on education, police, jail and public works to be met from license tax, house tax, octroi and succession duty. He desired that the Provincial governments should determine their own expenditure so far as it concerned merely local subjects and that they should provide the "ways and means themselves".

The policy was reiterated by Strachey. Speaking on the Income Tax Bill of 1869, he said the permanent relief to the Central exchequer was possible only when it was recognised that Imperial resources should not be expended for purely local purposes. The institution of provincial appropriation went a long way in developing municipal and local taxation, and as Prof. Venkatarangaiya says, "the enunciation of the principles, that taxes like the license tax, the tobacco duty and the inheritance tax were better suited for administration by local bodies, gave additional impetus to this movement and hastened the organisation of local and municipal machinery".

As early as 1687 a municipal corporation was formed at Madras to secure acquiesce in local taxation. In 1793 at the time of the renewal of the Charter Act "a new attempt to provide municipal organisation for the presidency towns", was made. The J.P.S. were authorised to appoint scavengers, to repair the streets and to assess households for the payment of rates. But the first attempt to provide machinery more capable of directing civic affairs came in the 1840's when the principle of election was introduced to a limited extent. By 1856 municipal administration in each presidency town was entrusted to "a body corporate" of three salaried commissioners appointed by the Presidency Government. Public control was almost entirely excluded, though in Bombay the J.P.S. were permitted to elect two of the commissioners. These corporate bodies enjoyed large powers of assessing and collecting rates and undertaking works of conservancy and general improvement. Thus the idea and practice of local taxation existed, though a very limited scale even before the Revolt.

After the Revolt the financial exigencies compelled the Government of India to rely more and more on the efficacy of entrusting the Provincial governments with financial powers and responsibilities. And by 1870, it was quite clear that centralization of financial powers was not the solution of the crisis. "The idea of local taxation as a means of relief to the Central Government", says Prof. Venkatarangaiya "reached its culmination in the Government of India Resolution of 1870 (popularly known as Mayo's Decentralisation Scheme)".

During the twelve years from 1858 to 1870 ground was being prepared for the financial decentralisation or devolution as well as administrative decentralisation. But the period was not altogether barren with regard to the development of local self government in the country. And Cross observes "After the law of 1861 had passed to the statute books, Parliament left the field of Indian political development alone for thirty one years until in 1892 another Indian Council Act marked a new step. In the meantime, however, the development of self government was by no means at a standstill. The field of development more shifted from the Imperial and provincial, where the first concession had been made towards admitting natives to take even a slight share in determination of the affairs of India, to the larger municipalities and later to the rural areas.

Between 1860 to 1870 numerous municipalities and other local bodies were established in different towns of the country. In 1850 the local governments were empowered to create municipalities in those towns where the inhabitants desired. In 1856 the magistrates were given the power to establish panchayats or committees of at least five members to levy taxes -- cess from the local people for the purpose of defraying expenditure on police. On the 14th September 1864, Lawrence's Government issued a resolution in which it was said, "The people of this country are perfectly capable of administering their own local affairs. The municipal feeling is deeply rooted in them. Holding

the Bundelkhand famine of 1868-69 and famine in Upper India. "The resulting increase in the financial burden of the Government was very great and the deficit became steadily more difficult to outmanoeuvre."

In 1867 definite proposals were made by General Strachey for financial reforms and in 1871 they were adopted by Mayo. They were based on the principle that there was only one means by which local economy and efficient financial administration could be secured; that each provincial government must be made responsible for the management of its own local finances. These reforms were in a large measure due to the initiative of General Strachey, supported by the administrative authority and experience of his brother Sir John Strachey. And in order to secure the co-operation of the Provincial government in the work of financial reform, Mayo invested them with a share of the financial responsibility by means of a Resolution issued on 14 December, 1870. This Resolution may be called the charter of provincial Governments in India. It fixed an yearly consolidated grant to each government to meet its cost of principal services including public works. The disbursement of the amount was left to the discretion of the local governments. Paragraph 2 of the Resolution is very significant. It says, "But beyond all this there is a great and wider object in view, local interest, supervision and care are necessary to success in the management of funds devoted to education, medical charity and local public work. The operation of the Resolution in its full meaning and integrity will afford opportunities for the development of self government for strengthening municipal

institutions, and for the association of Natives and Europeans to a great extent than before in the management and administration of local affairs. This paragraph of the Resolution is very similar to the Resolution of Lawrence in 1864 "in its tone, is more frank in its declaration of policy". The motive at the back of both the resolutions was primarily a desire for administrative efficiency rather than a concession of self government. However, the policy of decentralisation that was being worked out between 1860-70 found its full expression in Mayo's Resolution which made first systematic attempt to make Provincial governments responsible for the management of their own local finances. Certain departments of administration such as education, medical service and roads were transferred to Provincial governments, and as local interest, supervision and care were necessary for the successful management of the funds devoted to these subjects, it was desired by the Governor-General that the Provincial Governments and their subordinates should enlist the active assistance, or at all events the sympathy of many classes, who had hitherto taken little or no part in the work of social and material development.

The Resolution of Mayo gave a great impetus to the establishment of municipalities and corporate public bodies in the country. It proved a great success in some of the large municipalities where real power and responsibility had been transferred. According to a resolution of the Government of Bombay,

"the character and capacity of the elected members of Bombay Corporation and the tone of their discussion contrasted favourably with those of the elected municipal bodies in the United Kingdom. In the Punjab also the working of municipal bodies proved a success. According to the Report on the administration of the Punjab and its dependencies for 1980-81", No where in the Punjab had public improvement been carried on so vigorously or with such good effect as in town where the municipal system prevailed. But in other parts of the country the local self-government based on the resolution of Mayo proved a failure. The reason was that in the municipalities, it was only the members who showed any interest. The general public was usually indifferent and most local governments made no efforts to foster enthusiasm.

Despite the declared sentiments of men such as Lawrence and Mayo, no real effort was made by those in immediate control of the administration to instil life into the organs of local self-government. Municipal and local bodies were regarded as parts of a machinery of devolution rather than agencies of self-government. They were administrative expedients and not experiments in freedom. In fact, the municipal acts of the sixties and seventies of the last century were intended to establish official control under the garb of elections. Many municipalities enjoyed considerable powers but these were exercised by the official rather than by members. "It is true", observes Cross, that with some few exceptions the tone of the debates

does not indicate any great eagerness to accord self-government as anything more than lip approval to the doctrine of the desirability of popular control and self-government. The Mayo's measures could give only a form to the scheme of financial decentralisation and local self-government. It failed to give life to the frame.

In 1877-79 the Government of Lord Lytton made a material alteration in the terms of the financial settlements concluded with Provincial Governments. While Mayo's scheme of financial decentralisation had effected a large reform, it suffered from the defect that the services in which the Provinces were given a financial interest were relatively few, and that the Local Governments had no interest in developing the revenues raised through their agency. The responsibility in regard to other heads of expenditure, assigning to them the financial control of services connected with general administration, land revenue, excise, stamps, law and justice; and, at the same time, gave them the revenues raised from law and justice, excise, stamps and the license tax. But the increase in revenue was to be shared with the Government of India. The Local Governments were, still, however, not interested in the development of any revenues other than those covered by the assigned heads, which were far from sufficient to meet their liabilities.

The system of financial decentralisation inaugurated by Mayo attained its culmination under Ripon. Ripon was a fine specimen of British liberalism, which played a conspicuous part in the political and constitutional development of British India right from the transfer of the Indian Empire to the Crown. The liberals and 'friends of India' group in the British Parliament always pleaded that Indians should have a share in the administration of their own affairs. At the time of the transfer of power in 1858 John Bright, a liberal member of Parliament and a friend of India, made a significant speech in which he stressed necessity of decentralization in the following words: "I believe a great improvement may be made and by gradual process that will dislocate nothing. What you want is to decentralise your Government You will not make a single step towards the improvement of India unless you give to each Presidency a government with more independent powers that are now possessed". Till the victory of Liberals in 1880, the British constitutional struggle continued with much intensity and vigour, and all the time during these years the Liberals advocated the policy of associating Indians with the task of administration and supported the stand of educated Indians for self-government.

Long before Ripon, in India there had arisen a class of English educated Indians filled with novel hopes and aspirations. They regarded themselves as the vanguard of democratic progress in the country.

The impact of Western education and European ideas on Indian mind was great. "Of all the influence", writes Cross, "at work in developing self-government in India education is probably the most important". The English educated young men were fitted only for government services but the Government could, by no means, absorb all the output of the Colleges and many educated men turned towards journalism for a livelihood or dragged on a discontented life. Naturally in many cases their disappointments engendered bitterness which very often became focussed on the Government. Thus it was that a class came into being ready to criticise, to agitate, and to lead in any movement against the English Raj. The knowledge of the British constitutional struggle and local self-government gave impetus to the demand by educated Indians for similar institutions for their country and led to their agitation for constitutional reforms. To achieve their purpose they formed political associations in all the Presidency towns and other important towns of the country. In Bengal, the British India Association and the Indian Association made demands for local self government and for the association of Indians in the work of administration. Similar demands were made in Madras by the Madras Native Association and in Bombay by the Bombay Association, the Bombay Presidency Association and the Sarvajanik Sabha. The Indian demands were supported in England by the British India Society and the East Indian Association.

The spread of English education gave birth to vernacular press in India, which popularised the cause of local self-government in India. By the seventies of the last century the Vernacular Press had started expressing Indian opinion on matters of government and politics. They were not liked by the rulers of India who argued that the Press did not represent Indian opinion. None the less the English rulers were perturbed and there was an uneasiness even in England.

Thus the arrival of Ripon as Viceroy on the crest of the wave of Gladstone's midolothian victory of 1880 was of far-reaching significance in shaping the aspirations of the new class of Indians who were politically conscious. Ripon rightly realised that unless some outlet was provided for the political ambitions, this new class would become the bitterest opponent of the British Government in India. Convinced on the benefits that could be derived from the association of the intelligent Indians with the administration of the country, he "wanted to give a base to the British rule in India on political grounds". In a letter to Bright dated the 9th July, 1882, he expressed his intention of self-government in India in the following words, "a fresh development in intended freedom and cautious confidence was required". In order to make the Councils effective, he suggested to Harrington in 1881 that the elected members of the municipalities should elect members to the Legislative Councils.

But unfortunately Ripon's proposal was not supported by any one except Barrington. Maine, Aitchison and Lyall thought the introduction of an independent element risky and of doubtful advantage. However, Ripon was not disheartened by his failure here. Now he turned his attention towards infusing fresh life in the local bodies. The Famine Commission Report of 1880 had urged the extension of local self-government as a means of facilitating the relief of local redress, and Ripon's extensive tours in the Punjab had convinced him of the advantages of extending the local self-government. The expenses of the Afghan embrooglio, the famine in the North Western Provinces, the question of renewal of contracts and anxiety to the government. In short, exigencies of administration and financial crisis led Ripon his plan of decentralization so as to include the rural districts.

In May 1882 came one of the most famous documents on local self-government in India in the form of a resolution in which Ripon observed that "he was advocating the extension of local self-government, not primarily with a view to improving the administration but as an instrument of political and popular education". This was most judicious and well-thought resolution. It satisfied to some extent the intelligent class of public spirited men.

The Resolution gave a large latitude to the local governments. The maximum area to be placed under a local board was subdivision or a taluka. The local governments were empowered to settle the relation

between municipal and local bodies. In the urban and rural local bodies only one-third official members were allowed. It was decided to establish elective system in the local bodies, if circumstances permitted. The Government was authorised to revise the Acts of the local bodies, so that some control could be maintained on them. But local boards were given control over all rates and cesses levied within their jurisdiction and freedom to initiate construction of local works. Thus the Resolution of Ripon vested considerable responsibility to the units of local government. It was a laudable measure which marked the real beginnings of democratic decentralisation in India.(1)

Democratic Decentralisation at the outset simply implied 'Community Development Programme', particularly in rural areas. In fact, community development is a people's programme with government's participations. For it is aided self-help method aiming at creation of a permanent process for the socio-economic transformation of the entire village-life; 'aided', because it is implanted growth process(2), as is implicit in the very concept of

(1) Narayan, Dr. V.A., Origin of Democratic Decentralisation in Modern India (1858-83). The Journal of the Administrative Sciences, Vol.VIII, No.2, pages 18-30.

(2) Growth may be either 'self-induced' as in earlier advanced democracies which depended almost exclusively on private initiative, or, 'implanted' as is true to late-starting under-developed countries, wherein national responsible governments take direct initiative for promoting growth conditions in earlier stages of transition from stagnation. The latter, has been termed by growth-theorists as 'development'. For a detailed discussion of this difference between 'self-induced growth' and 'government implanted development' reference may be had particularly to Alfred Bonne's "Studies in Economic Development", Jerusalem, 1957, and to "Approaches to Economic Development", New York, 1955.

community development; and self-help, because it is ultimately the villages and their organized and representative institutions which have to frame and execute plans in the interest of the local population. There are two participants in this programme; and this has to be emphasised again and again. Just as the officials alone have not been, and will not be, able to attain the goals of community development, so also the village people by themselves will not be able to succeed. It is a joint venture. It would be unthinkable, for instance, to assume that such pressing local and national problems as food-production, employment augmentation, rural industrial diversification and family planning etc. can be solved by either the people or the government working independently of one another. Such problems can be solved only when the people provide the leadership, and are sufficiently organized within their institutions to take advantage of the technical guidance which can be systematically provided only through Government.(3)

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- (3) Government's assistance in various forms is a necessary part of rural and agricultural progress, even in advanced countries. An idea of it can be had by pointing out to the fact that government's expenditure on agricultural research, education and advisory services alone per male worker in agriculture stood at \$36 in Netherlands, \$29 in the U.K., \$25 in Norway, \$24 in Sweden, \$15 in Switzerland, \$14 in West Germany, \$12 in Austria, \$10 in Denmark-land, \$5 in France. The corresponding figures for India would work out at only less than 3.5 per year (in C.D.State I blocks). No reliable statistics of non-governmental expenditure in this respect are available. But*

The programme, no doubt, implies community action, but it has to receive a constant sustenance from official assistance. There are reasons for it. Since the rural communities have for long been victims of economic stagnation and social isolation, the importance of government's initiatory role in inducing them into self-help improvement activities is only too obvious. What, however, needs special stress is that this assistance has to be continuous even when the responsible local institutions get going. This is essential chiefly because these institutions have to run as active agencies in modern progressive set-up of the nation. This requires that all progress - technique, relevant to their local problems are brought within their reach. This can be done only by government which alone can have the required resources and organization, large and wide enough for the purpose. Hence the government's assistance in the community development programme; is both initiatory as well as compensatory.

But while extending aid, it has to be constantly borne in mind that this is only compensatory and never primary. The village leaders and

generally speaking, it is substantial in advanced countries. The figure for Denmark is estimated to be just about the same as that for governmental expenditure in this field. That on both accounts governmental as well as non-governmental, investment in rural and agricultural efforts is far too low in India is beyond dispute. Yet, we find fault, with our programme in terms of comparative efficiency attained by these countries. We hesitate to invest, but fret too much for fruit, holding for all sweet without adding enough sugar.

institutions should be made to feel that they themselves are the builders of their surroundings. The aid, advice and supervision have to be almost invisible, although quite adequate. True that "the community development programme was sponsored by the Government and it is still largely administered by the officials. But the accepted objective is to make it a people's movement, with the village taking over the responsibility for framing and executing plans for local development". It is essentially in this sense that community development programme is known as the people's programme.

Operational Stages:

But of ten-times it is referred to as the Government's programme with people's participation. It could be so said only during the initial stages when it had to be first introduced. In view of the static conditions of the village, of the defeatist attitude of the rural dwellers, and of resourcelessness of the peasantry, no other way was left open. This was the first operational stage of the programme which may be said to extend up to the end of the Five Year Plans. It was for this reason perhaps that both in the first as well as in the Second Plan, it was stated that the agency for executing the community development method in the rural extension service by which the Planning Commission meant the government officials' team both general and technical associated with the programme.

The beginnings of the second stage were made in 1959, when the Balwantrai Mehta Committee advocated

vigorously for statutory establishment of horizontally autonomous and vertically integrated village institutions, representative in composition, invested with powers and responsibilities and equipped with adequate financial resources to plan for and execute development schemes bearing intimately on local people and their progress. Together with this advocacy, the Committee also laid down the broad framework of these institutions with regard to their (i) composition, (ii) powers, (iii) functions and (iv) resources, as well as to their inter-relationship; pleading for 'democratisation' in the case of (i) and decentralisation in those of the (ii), (iii) and (iv). The so-called 'Democratic Decentralisation' scheme was by and large accepted.

And this brought about a whole transformation in the administrative aspect of the programme. The erstwhile dictotomy made between the official and the people's wing of the administrative agency was abolished. The responsibilities both for 'deliberation' and 'execution' were sought to be invested with the representative people's organisation. The concept of democratic decentralisation now "comprehends both the democratic institutions and the extension services", and the later, although functioning as part of the general national administration, are put at the disposal of, or are subservient to, the local leaders and their institutions. Democratic Decentralisation is now, employing the Planning Commission's terminology, the 'agency'

to implement the community development method.(4)

Obviously, the first thing to do now was framing the concerted legislation indicating the broad policy and framework for working of this agency. All States have completed enactments. Since legislations almost in all States follow very closely the patterns and policies laid down by the Mehta Committee, acquaintance with the land-mark deliberations of this Committee is an assumption of this rather factual review.

COMMON FEATURES:

General Structure:

In all the States' legislations on democratic decentralisation, the general structure includes the statutory establishment of three bodies i.e. Panchayat at the village level, Panchayat Samiti at the Block level and Zila Parishad at the district level, although there are some variations regarding their names; for example, Panchayats are known as Gram Panchayat in Rajasthan and Gram Panchayat in Assam, Panchayat Union Council in Madras, Chetra Samiti in Uttar Pradesh and Taluka Development Board in Mysore; and Zila Parishads are called Mohakamma Parishad in Assam, and District Development Council in Madras and Mysore.

With regard to the general function to be

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- (4) To clear from the very name of S.K.Dey's Book namely 'Community Development through Panchayati Raj' instead of earlier Planning Commission attitude of C.D. through Rural Extension Service.

performed by these bodies, the general picture is that in most cases Zila Parishads have supervisory and co-ordinating work, and Panchayat Samitis and Panchayats are given the main executive functions. But here, too, some differences exist; for example, in Assam the two higher units namely Mohakamma Parishad and Anchalic Panchayat have mainly advisory, supervisory and co-ordinating powers while the executive powers rest with the village Panchayats. In Rajasthan, Andhra Pradesh, Madras, Orissa and Mysore, the Block/Taluka bodies have been assigned executive responsibilities in addition to advisory and supervisory functions. Amongst the States, Maharashtra is the first and so far the only State wherein Zila Parishads have been given very wide executive powers with Panchayat Samitis and Panchayats respectively at the Block and village levels as their main executive arms.

Composition:

(i) Village Level Panchayats: Practically everywhere Panchayats are to be constituted through direct elections by secret ballots. The members' number is generally fixed according to the population of the area covered, subject to minimum and maximum limits specified under the Acts. A special provision has been made in some States for co-option of additional panches with a view to getting representation for weaker and backward sections like women and Scheduled Castes and Scheduled Tribes. In a few Acts there is also provision for nomination to the Panchayat of the Prantiya Raksha Dal and in Uttar Pradesh, of a certain number of officials as in Punjab, and of a

Chairman of a Co-operative Society existing in the Panchayat Circle as in Madhya Pradesh. The Sarpanch or the Chairman is elected in general indirectly, although he is also elected directly in some States as Rajasthan, Assam and Uttar Pradesh.

(ii) Panchayat Samitis: In general there are three types of members constituting a Panchayat Samiti at the Block level, namely those elected, those co-opted and the associate members. In Rajasthan, Panchayat Samitis consists of Sarpanches of all the village Panchayats of the Block. In addition there is provision for co-option of two women members and one member each from the Scheduled Castes and the Scheduled Tribes, one Kirshi Nipun, one person representing the Co-operative Society and two persons of experience in administration and rural upliftment and public life. In Mysore State, the Taluka Development Boards are constituted by direct elections, and no representation is provided co-operatives on the Board. In Madras, however, Panchayat Union Council members are elected indirectly from every village and town Panchayat. In Assam, members of the Anchalic Panchayat are elected directly by each Gram Sabha. Here, there is also provision for co-option of members from the minorities group, and election of one representative by the Chairman of Co-operatives within the Anchalic Panchayat. In many States members of the State Legislative Assembly whose constituencies lie in the Block are associate members. In Maharashtra the

the Panchayat Samiti is composed of (a) elected and co-opted councillors from the area of the Block (b) Chairman of a Co-operative Society conducting purchase and sale of agricultural commodities, (c) Chairman of a Co-operative Society conducting other agricultural business (d) one member each from Scheduled Castes or Scheduled Tribes and a woman to be co-opted by the Samiti and (e) Sarpanchas not exceeding two from every electoral division of the Parishad elected by members of the Village Panchayats. The Chairman and the Deputy Chairman of every Panchayat Samiti are to be elected by the elected members of the Samiti.

(iii) Zila Parishad: Zila Parishads in majority of States are composed of ex-officio, co-opted and associate members. They consist of the Pradhans or Chairmen of Panchayat Samitis in the district. The co-opted members come from the minority group, and the members of both the Houses of Parliament and State Assembly elected from the constituencies included wholly or partially in the district are the associate members. Maharashtra is the first and the only State so far where Zila Parishads, having 40 to 60 members, are composed through direct election. In addition to these directly elected members, the Zila Parishad in Maharashtra will also include the Chairmen of all the Panchayat Samitis, the Chairmen of the five Federal Co-operative Societies as ex-officio and associated councillors respectively. As in others, so in Maharashtra as well as in Bihar, the President and the Vice-President of Zila Parishad will be

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elected by its own members excluding of course the associate members who generally have the right to attend meetings but not to vote.

Functions:

(i) Panchayats: Panchayats existed in most States even earlier. Later, they were re-organised. With the re-organisation the Village Panchayats have been given mainly civic, judicial and developmental functions. In some States as Mysore, Uttar Pradesh, Madhya Pradesh and Orissa their functions are classified into two categories; namely obligatory and discretionary. In Mysore the Obligatory functions include construction and maintenance of village roads, rural water supply, and sanitation etc.; whereas discretionary functions include establishment of grain godowns, co-operative development, collection and maintenance of important statistics etc. In Rajasthan, Assam and some others, the Panchayats are also asked to act as agencies for implementation of agrarian reforms. In Bihar some Panchayats have also taken up the management of forests and revenue collection in their areas. In Bihar and Assam, Village Panchayats may also organise a Village Volunteer Force.

(ii) Panchayat Samitis: At the Block level, the functions of these Samitis as in Rajasthan, Andhra Pradesh and Bihar include a wide range of activities, some of which are execution of developmental programmes, promotion of agriculture, minor irrigation and co-operatives, administration of the Block, approval and sanctions of Panchayat budgets and co-ordination of, and supervision over, the activities of Panchayats.

In Mysore, the Block level body namely the Taluka Board has been allotted obligatory and discretionary functions. One of the main obligatory functions of a Taluka Board is to supervise and control the activities relating to Block administration. The discretionary functions include, among others, agricultural development, promotion of local arts and industries and provision of technical assistance to the Panchayats and supervision over them. A Taluka Board in Mysore is also authorised to supplement development work undertaken by a Village Panchayat by taking up schemes which are beyond the capacity of Panchayats. In Madras, all activities relating to agricultural development, animal husbandry and village industry are the exclusive concern of the Block level body called the Panchayat Union Council. The Anchalic Panchayats in Assam are to execute all development schemes including those concerning more than one Gram Panchayat and also expected to utilise the agency of the Gaon. The Anchalic Panchayats are also authorised to scrutinise and approve the Budget of the Gaon Panchayat. Similarly, the Panchayat Samitis in Maharashtra make reasonable provision within the Block with respect of all or any of the subjects enumerated in the second schedule of the Act which cover agriculture, co-operation and animal husbandry etc. Besides preparing an overall plan of works and development schemes to be undertaken in the Block for enabling the Zila Parishad to prepare its development plans, the Panchayat Samiti in Maharashtra is required to prepare a plan of works on

development schemes to be undertaken from Block grants. It is not only empowered to sanction, execute, supervise or administer any works from Block grants incurring the necessary expense and is also to execute, maintain, supervise and administer the works and development schemes in its areas on behalf of the Zila Parishad. It may be again repeated that, as unique from other state, the main executive bodies in Maharashtra are the Zila Parishads and the Panchayat Samitis are their chief executive arms.

(iii) Zila Parishad: In majority of the States, the Zila Parishads have been given mainly supervisory and co-ordinating functions. Their functions thus include, among others, scrutiny of the budget of Panchayat Samitis, distribution amongst the Samitis of the ad-hoc amounts allotted to the district by the State Government, co-ordination and consolidation of the work of the village Panchayats and the Panchayat Samitis, and advising the State Government on all matters concerning the activities of the village Panchayats and the Samitis in their jurisdiction. Hence, the Zila Parishads are the main executive bodies in Maharashtra their functioning include both executive functions as well as co-ordination and supervision. The Zila Parishads in Maharashtra are required to make reasonable provision and execute or maintain works, all developmental schemes as permissible within the district funds at their disposal. These include all or any of the subjects such as agriculture, animal husbandry, social welfare, economic development

specially of backward classes, education, public health, buildings, communication, irrigation, industries and cottage industries, co-operation, community development, social education and other miscellaneous items enumerated in the first schedule of the Act known as District list. With a view to promoting development of the district by maximum utilisation of local resources the Zila Parishad has to prepare annual and long-term plan with due regard to the plans prepared by the Panchayat Samitis.

Resources:

(i) Panchayats: The financial resources of the Panchayats consist broadly of taxes, fees, fines, loans grants and contributions. In Mysore, Panchayats can also float loans with the permission of the State Government. In most States, the single largest source of income of the Panchayats comes from taxation. The taxes generally levied are property tax, cess on land revenue or rent of land, taxes on trades, profession and callings, taxes on vehicles, and taxes on the sale of goods etc. Revenue from village common lands, and tax on the registration of birth and marriages are also the sources of revenue of the Panchayats. The legislation in different States also give power to the Panchayats of levying any tax which the Government itself is in power to levy. But the power can be exercised only after the sanction of the State Government. A very important and new source of income introduced in Assam, Andhra Pradesh, Bihar, Madhya Pradesh, Orissa and Rajasthan is the levy of labour tax. A person who does not want to pay this tax

in terms of the manual labour has to contribute cash not exceeding of course double the value of the manual labour. In Bihar and Orissa it is binding on the Panchayats to levy this tax, the minimum contribution being four days in a year in Assam.(5) With regard to grants, some State Governments have earmarked a portion of the land revenue collected by them for allotment to the Panchayats. For example, Assam has earmarked 15% of the land revenue, and the entire local rate for the benefit of Panchayats. The Mysore Government has made a provision to contribute to the Panchayat funds 30% of the land revenue collected from its area, and another 5% for distribution among the Panchayats to be spent on such purposes as the Government may desire or direct.

(ii) Panchayat Samitis: The main source of revenue of Panchayat Samitis include the annual ad-hoc grants from the Government as in Bihar. Panchayat Samitis or corresponding bodies in Assam, Mysore and Bihar can also raise loans in the market with the prior approval of the State Government. In Bihar, a Panchayat Samiti while floating loans has to take

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- (5) This tax in kind i.e. in shape of labour is very popular in European countries, where it has been introduced to effect such improvement projects as are difficult to complete through voluntary contributions. While appreciating the levy of labour-tax by local bodies, the U.H. Evaluation Mission (op.cit., p.44) suggest that its acceptance would be facilitated if it were to be imposed in terms of specific operations (roads, irrigation canals and drainage etc.) rather than in terms of days per year.

prior approval not only from the State Government but also from Zila Parishad. The Samitis are practically in all States entitled to a share in land revenue at the rates stipulated in relation to the size of the population of the Block. In addition to the revenue resources, the Samitis can also impose taxes like entertainment tax, profession and establishment tax, cess or land revenue, education cess and certain fees to augment their resources. In Madras, each Panchayat Union Council has two funds known as the general fund and the education fund. The Panchayat Union Council receives a part of the local cess, land revenue, education grant, roads grant and a proportionate share of the entertainment tax. It also has got the power to levy a surcharge on local cess, and get a matching grant of equal amount. The other sources of revenue are taxes levied in connection with the festivals, fees on licenses issued, and levies on sale proceeds of movable and immovable properties, and incomes from management of ferries and fisheries etc.

The Taluka Board in Mysore gets the entire share of local and water cesses, and a grant from land revenue at the rate of 20% of the total land revenue collected in the Talukas; it can also impose an additional stamp duty on the transfer of property, and a tax on goods brought for sale in the markets. In Assam, the Panchayat gets a share in the net receipts of land revenue realised in the Block areas to the extent of not less than 10%. It may also levy or two others, a tax on cultivable land lying fallow for two years at the maximum rate of 2.5 np per stand.

(iii) Zila Parishad: The important revenue resources of the Zila Parishad in most States include the grants from the State Government, donations and contributions from the Samitis or from the public. In most States the Zila Parishads are not authorised to impose any sort of tax, fee or cess. But in Andhra Pradesh they have the power to levy tax and fees. Another source of revenue is the income from management of endowments and Trusts. In Bihar, the Zila Parishads can also float loans with the permission of the State Government to increase their resources.

Since Zila Parishads have an unique position in Maharashtra, their financial resources need special consideration. In each district, there will be a local fund called the District Fund which will be made up of, among others, (i) the balance in the local fund constituted under the relevant District Board Act, (ii) the net proceeds of any of the taxes or cesses payable in the district under the relevant District Board Act, (iii) proceeds of cesses authorised in the district such as the cess of 20 naye paise per rupee of land revenue, water rate cess of 19 naye paise per rupee, and land revenue cess levies of Vidarbha and Hyderabad area, (iv) balance of the amount of the tax on professions, trades, callings etc. after excluding amount assigned in Panchayats, (v) rents and profits accruing from property vested in the Zila Parishad, (vi) proceeds of all tolls and leases of tolls on roads and bridges vested in the Zila Parishad and levied in the district, (vii) all sums received by the Zila Parishads for

the execution of, or from taxation under the Act, (viii) all grants, loans, assignments and contributions made by the State Government, and (ix) all grants, loans and contributions meant for Panchayat Samitis, institutions or persons and to be paid through the Zila Parishad by the Government. Under general or special orders from the State Government, the Zila Parishad may be required to impose taxes or fees, such as a tax on persons carrying on any profession, trade, calling or employment within the district limits, general water tax, tax on public entertainments and amusements, pilgrim tax, special tax on lands and buildings and a license fee on brokers, commission agents etc.

Besides the sources of revenue mentioned above, the Zila Parishad is entitled to financial assistance from the State Government. Every year, a grant equivalent to 70 per cent of the ordinary land revenue, including non-agricultural assessment realised during the previous revenue year from the lands within the jurisdiction of the respective Zila Parishad is to be made available to it by the State Government. Where this grant is found to be less than Rs. 2.00 per capita of the district's population, the Zila Parishad is entitled to an equalisation grant to make up the shortfall. For meeting the expenditure on certain specific works and development schemes assigned to the Zila Parishads, they may be provided, in every year, by the State Government, with purposive grant amounting to not less than 75 per cent of the expenditure. Similarly, an annual establishment cost of District

Technical Service (Class III), District Services (Classes III & IV) will also be provided to the Zila Parishads by the State Government. Furthermore, during the first five financial years after the commencement of the Act, the State Government provided to a Zila Parishad a deficit adjustment grant, (which will be progressively reduced during the next ten years after which it will not be payable), where it finds it is necessary to do so for executing and maintaining certain works or development schemes at the requisite level of efficiency. In addition, provision has also been made for making available a local cess matching grant, incentive grants and grants for plan schemes. A Land Revenue Recruitment Fund has been constituted for meeting the deficit in the land revenue grant, made available to any Zila Parishad.

GENERAL WORKING PATTERN:

(i) Officials and the Executive: A very important feature of democratic decentralisation legislation in most of the States is that the officials associated with rural development work have to work under the local leaders and their institutions. The Chief Executive Officers along with their team of extension experts have to work under the orders of the Zila Parishad or the Panchayat Samitis, as the case may be. In most States, the B.D.O. is the Executive Officer of Block level and a Government official of the Additional Collector's rank as the Chief Executive Officer of the Zila Parishad. In Bihar, the State Government appointed an official of Deputy Collector's rank

rank as the District Development Officer who is the Secretary and the Chief Executive Officer of the Zila Parishad. In Maharashtra, the Chief Executive Officer appointed by the State Government is the ex-officio Secretary of the Zila Parishad.

(ii) Functional Committees: In practically every State, there is a provision that Panchayat Samitis and the Zila Parishad is working through different functional committees which is able to give time and care to the various important activities relating to the affair of the respective bodies. In some States there is a provision for functional sub-committee even at the village Panchayat level. The arrangement seems to be most elaborate in the State of Maharashtra and Bihar. In Maharashtra, the Zila Parishad function generally through Standing Committee and six subjects committees, one each for finance, works, agriculture, co-operatives, education and health. The Standing Committees consist of the President, Chairman of the Sub-Committees, seven Councillors elected by the Zila Parishad. The Deputy Chief Executive Officer is ex-officio Secretary of the Standing Committee. The other subjects committee is composed of seven Councillors elected by Zila Parishad and two other co-opted members. The head of the concerned department at the district level is the ex-officio secretary of the concerned subjects committee. In Bihar also there is provision for standing committees required to look after the day-to-day affair of the respective bodies. Both the Panchayat Samitis and

Zila Parishad have Standing Committees.(6)

Interest in Democratic Decentralisation arises primarily out of processes of modernisation which are going on today throughout the world. It deals with administrative problems which arise as Governments seek to promote through decentralisation agricultural, industrial, educational, and medical progress, and also to the reform of Government organisations and bureaucratic procedures which necessarily accompany these processes to grass root level. The more politically developed a polity, the more capable it is of using administrative reforms to promote democratic decentralisation, but the weaker a polity, the less able it is to absorb the expansion of bureaucratic organisation without being pushed, thereby, towards political decay or retrogression.

And in this context of a weaker polity, all our efforts since Independence for democratic decentralisation in the State of Bihar, visibly stands defeated or one may call it as being "self-defeated". None in particular can be blamed. It, however, cannot be said that we have not done our efforts. All that was possible was done. The importance of the democratic decentralisation and particularly for the rural base was well realised as 92% of the State's population live in rural areas. An integrated approach to planned development began with the establishment of the Planning Commission in 1950. Extensive National Extension Service and

(6) Lal, Dr. Ramavtar "Democratic Decentralisation: Common feature of State Legislation". The Journal of Administrative Sciences Vol.VIII, No.3, September-December 1963, pp.55-69.

Development Programmes were undertaken. In 587 Development Blocks of the State, Block Development Officers with a host of Extension Service experts and assistants opened their offices in rural areas. The Block Development headquarters took a new shape of semi-urban pattern. Lots of development projects were undertaken but their out-put and results have been rather disappointing. The fault did not lay on any one individual. But the entire administrative system for development did not fit in with the job, it had to perform in our country. A centrally planned and Democratic Decentralisation hitherto followed has not succeeded at all. In Bihar Democratic Decentralisation's efforts done to raise the standard of living of nearly 90% of agriculturists and cultivators in 70 thousand villages of State can be enumerated briefly as follows:-

1. Attempts to decentralise administration and establish "Panchayat Raj". About 45 lac youths, aged about 18 years have been given voting rights in the Panchayats. Elections have been held in Panchayats after about 7 to 9 years.

2. At District level, the development works are being separated and the District Officers are being assigned co-ordinating roles. "Gram Kachari" and "Raksha Dal" have been re-organised. Out of 44980 pending criminal cases, compromises have been made in 25877 cases, punishments awarded in 1956 cases, 9133 cases have been dismissed, in 577 cases decree awarded and 1965 cases have been dismissed. Out of 757 cases which went in appeal, judgments

in 161 cases have been reversed but in rest of the cases it has been confirmed. This illustrates effective role the "Gram Kachari" has began playing.

3. The integrated Rural Development works have been undertaken in 30% Blocks of the State. Productive Projects for additional employment and income have been undertaken. Small Farmers Development Agencies, Drought-prone Area Projects and numerous such agencies are doing their job. Planning from below have been undertaken. The "Antodaya" for uplifting the lots of 100 to 150 poorest families in each Block have been undertaken. Integrated development works have been undertaken in:-

(i) in 23 villages of the Mushari Block of Muzaffarpur district at the cost of Rs. 2320 lacks.

(ii) in 14 villages of Adhoura Block of Rohtas District at the cost of Rs. 4.4 lacs.

4. Rural Engineering Organisation (R.E.O.) is spending 612 lacs on its Minimum Needs Crash Programme for employment. Time-bound schemes have been undertaken. 502 K.M. Road would be metalled and 50 small bridges and culverts are being constructed. About 40 crores of rupees would be spent on repairs of old roads and culverts. The existing proportion of metalled roads of 10 K.M. for every 100 K.M. of roads of all India average is being raised to bring it at par with All India average. Similarly, all India average for every lac of population the metalled roads are 60 K.M. whereas in Bihar it is only 31 K.M. for a lac of population. It's average is also being raised.

5. District Boards are being reorganised and are being assigned full responsibility for all development works (2).

Inspite of all these, our lofty aims and ideals of Rural Development is likely to remain a pious dream.

It is, therefore, essential to study the issues involved therein. And if any one personally visits and looks into the working of these Rural Development Blocks, the administrative and organisational issues that have been eating into the very vitality of the system would be visible.

The first and the foremost issue that attracts our attention is the personal policy and staffing pattern of the Rural Development Organisation. A Block Development Officer who was a student of an average merit sits bosses over all. The Doctors, Engineers, Industrial, Agricultural, Animal Husbandry and Co-operative experts who were brilliant topper students of their batches play the second fiddle to him. Inner controversy between the Doctors, Engineers and other development experts and the B.D.O. make the smooth working of the organisation almost impossible. "A rule of jungle" is let loose, the hand of each against the hand of all. They were spending all their time and energies in establishing who was a bigger and more powerful officer among themselves and this alone provided full time engagement to them. They have no time to attend seriously to any development work.

Secondly, the dual control of these different Extension Rural Service experts by their parent

departments and the B.D.O. have eroded the 'unity of the command'. The unbridled-staff, care for more and indulge in serving their ownself in all possible ways at the cost of the neglect of rural development work.

Thirdly, the image, both outer and inner of these extension service, have negatived development of efforts and general 'self-defeating' factors in rural areas. The B.D.O. Shaheb with a bit of bureaucratic air and touch (only if you see him in action in a village) is not positive in engulphing the distance between the people and the Government existing even during the alien Government on the other hand enlarged the gulf and the distance. His image should have been cast as being one among the rural people and not being a "Bara Shaheb", "Chhota Shaheb", "Bara Babu" etc. They have not been able to obtain people's willing participation and their involvement in development work. The image is thus "self-defeating" one for rural development.

Fourthly, the power politics from above both the Centre and the State with all its group controversies have percolated at village level. And with the patronage of voting constituency, there grew a host of vested-interests and a band of contractors, go-between, pawns and the so-called politician's men always busy in swallowing all the development funds allotted for rural development works. Piles of papers and files of papers piled up. Most of the development works have not even touched the ground. The number of wells are much less than the actual number for which funds have been

sanctioned and spent every year. The same well is shown under several welfare, or agricultural or irrigational projects. The backward and 'adivasi' areas have become a 'prize place' for such free-lance non-existent development works. The poor ignorant non-vigilant adivasis remained exploited. The up-rooting of zamindari which could have been utilised for rural development works and its substitution by a small bureaucratic Block Development staff have proved fatal to the health of rural development. The National Extension Services Programme for rural development prepared in alien land have remained alien till these days. It has resulted in colossal waste of time, energy and money. The National Extension Service, Rural Development Programme envisaged on all round co-ordinated rural development through a team of Health, Engineering, Agricultural, Animal Husbandry, Co-operative experts working together. And for this a B.D.O. who belonged to a non-gazetted rank, at the fag end of his service career journey with a little future service prospects could not be the head and guide the team. In so delivering the goods and making the rural development a reality, the B.D.O. will have to adopt a process involving careful definition of objectives, gathering of data, analysis of the data, development of alternative approaches with an analysis of the consequences of each (specially in terms of effectiveness and costs) testing the alternatives where appropriate. This will ensure full utilisation of resources and lesser loss of time, energy and money. Youngmen at the advent of their service career with

with future prospects must be trained and placed in charge of these rural development works in pursuance of the policy of democratic decentralisation. They alone can carry the team to deliver the goods.

Notice of the critical impact that decision in our rural development programme may have on another will have to be taken note of so that one can take into account a larger number of ramifications of a particular decision. It will be very valuable for the youngmen at the spot and at the grass root level in knowing the probable consequences of his action and avoiding delay. If a medical hospital must await the adoption of a Master Plan in a rural area, many sick people may suffer for many years. The youngmen at the rural level must be trusted and left uninterrupted to go ahead with rural development works and be encouraged to be proud of his own contribution to the national work.

It would be worthwhile here to take note of the New Thrust in Democratic Decentralisation in this context. What is distinctive about Democratic Decentralisation in a developing country is the reliability placed in the ability of human experience the aims and methods by which country's development will grow in ordered abundance, keeping in mind the scarcities, disparities or disproportionate emphasis, thought apt to give rise to a multiplication of areas wherein misunderstanding and conflict will occur, are capable nevertheless of being managed without undue risk of grief, pain or cost. The new Democratic Decentralisation

calls for (1) Introducing new type of thinking about preliminary action appropriate to the needs and stage of development; (2) Converting general aspirations regarding development into a realistic programme of action, including goals, work targets, and date-lines based on the character and traditions of the people maintaining a tempo of accomplishment; (3) providing a strategy for development by isolating and emphasising the apparently strategic without getting tied up in irrelevancies and trivialities, and by a dictation thereto beyond the grip of the practice of the past; (4) Fostering the growth of permanent national institutions capable not only of introducing but also of supporting changes and new services brought about by development, and encountering successfully deep-seated resistances to change; (5) Showing continuous and constant alertness in generating innovations in policy and procedures and assuming at least some of responsibility for carrying them on from the first formulation to final accomplishment; (6) knowing the difference between action and in action; that is, alternatives of action, their contemporary and long-range consequences and the effects of inaction and inertia of letting things, take their natural course-between when to stand fast and when to give ground; (7) Devising tools appropriate to cope with disorder which provides the raw material from which new order will emerge in matrix of human calibre, experience and cherished value; (8) Discovering the right perspective for looking at problems, grasping their unifying elements, and achieving correct dynamic

formulations based on the awareness that, as public administration can adapt to new demands for country development. By the same token it can also read apt; (9) striving for ways other than precedent, which will enable the handling of a unique situation uniquely; and (10) undertaking continuous re-evaluation and re-appraisal of Democratic Decentralisation process. But the bulk of the problem-faced in the Democratic Decentralisation in Bihar can be brought under the following activities:-

1. Agriculture including Animal Husbandry and minor irrigation.
2. Education including Social Education, Games, Sports and other recreations.
3. Cottage Industries, local arts and crafts.
4. Public Health including sanitation.
5. Communications.
6. Electrification including supply of energy for Irrigation and for Small Scale Industries.
7. Co-operatives, taxation, saving and rural banking.
8. A Special Welfare Programme for Adivasis, backward classes, women youth and little children.

Continuing activity on these clearly defined activities would give stability to Democratic Decentralisation, Legislation, though no doubt, useful in ensuring a certain amount of uniformity cannot initiate and guide a Democratic Decentralisation as such. Persistent, prompt and positive education of the citizen and their leader in all aspects of such

development, particularly in social administration is essential if a decentralisation is to succeed. Institutional training for the officers of all levels as well as public servants working with them must be undertaken on a vast scale. This can be done by the Indian Institute of Public Administration. Institutions and such other organisations for combined courses on common ground will be of great advantage in right orientation. The old red-tape and routine type of working does not match with Democratic Decentralisation. So long as the people do not become "Development minded" and administrators do not change their emphasis, structural or procedural changes and facilities to performance and accomplishment, however far-reaching, will not be effective. It is, therefore, necessary to trace, analyse and understand problems of Democratic Decentralisation by a comprehensive, integrated and inter-disciplinary approach.

It may be worthwhile recalling the findings of studies made of India's rules of democracy by the intentionally famous Doyen of American Rural Society Vart C. Taylor and his team which also included Dr. Gouglas Ensminger, once a Resident Representative of Ford Foundation India as follows:-

- (i) The description of the role of the village worker as friend, philosopher and guide of the villager reflected a view-point which was not so thoroughly in keeping with the successful community development experience. The typical village level worker was generally friendly enough,

but he was indifferently qualified to be a philosopher and was not in most cases sufficiently equipped to be a dependable guide to the villager in dealing with the important problems.

- (ii) There was considerable absence of understanding of the role which voluntary local groups have to play in community development methods, by which people who live in local villages or communities are involved in helping to improve their own economic and social conditions and thereby become effective working groups in the progress of national development.
- (iii) Government personnel in India have not only assumed major responsibility for determining what the needs of the villagers were, but assumed the responsibility for prescribing how these needs could and should be met.
- (iv) Targets set by others may be dysfunctional rather than functional. This is very likely to be the case if attempts are made to provide levels of living which are not in fact the conscious standards of those to whom these levels of living are provided. In all too many cases, development leaders have been more

successful in attempting to arouse unwarranted expectations than they have in implementing warranted expectations. It is our judgment that Indian development leaders have stimulated this frustration by providing types and amount of material assistance which was unsolicited by local self-help groups to implement their aspirations.

Fundamentally, the call for decentralisation stems from a distrust of authority and the fear, often proved to be genuine, that it may be wrongly used or used without keeping in view the welfare of the people, over whom it is exercised. Nationalist forces before Independence particularly felt the impact of a highly centralized alien bureaucracy, and decentralisation of authority, whether to Provincial Legislatures or to local authorities, was considered an effective means of wresting power from the British. Local Self-Government, thus, became a part of the national ideology.

While this was the immediate cause for the unequivocal support for decentralization, colour was added to this concept by a nostalgic vision from a hoary past, of "Ram Raj" and "Panchayat Raj" where values were essentially moral in character and were enforced themselves. In common imagination, the distinction between "Ram Raj" or "Panchayat Raj" and "Swaraj" and eventually independent status for the

country was somewhat hazy. The adulation of certain Englishmen like Sir Charles Metecalf, who talked of village republics, gave a distinct flavour to the existence of small kingdoms which developed "according to the inner laws of their own end and were more stable in character than the ever changing empires". The break up of these village institutions, under the highly centralised and secular system of British administration added an urgency for their revival¹ once the nationalist forces had the power to do so.

Another favourable factor was the place given in local institutions in the Western world, which continues to be given atleast in its outer shape and forms according to the democratic theory, local government contributions to the strength of democratic institutions in a number of ways. First, policies that have a direct bearing upon the interest of particular communities can best be formulated and executed by local officials who are close to the people and are familiar with their problems and desires. Second, local government serves as a training ground in government practices and procedures for persons who may later serve the State or even the nation in official capacity. Third, because local units of government comprise small geographical areas and deal with less complex matters than those found at the State and national level, public scrutiny of official

(1) India's Roots of Democracy by Caul C. Taylor, Douglas Ensminger, Hellen Johnson and Jean Joyce, Orient Longman, Calcutta.

actions and decisions is facilitated. Fourth, the individual citizen is better able to experience a sense of close personal identification towards a governmental unit, which covers a small area and executes services having a direct impact on his personal welfare. It is further expected that his identification would be translated into greater citizen interest and participation in governmental affairs.

Factors such these account for the emphasis placed on Village Panchayats in the Directive Principles of State Policy embodied in the Constitution. The relevant provision reads as follows:-

"The State shall take steps to organise Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as unit of self-government".

This was the psychological background, against which Community Development Programme was inaugurated with high hopes in the year 1952. It was felt that for development to be self-generating and lasting, there must be change in the outlook of the people and in community mores and practice. Without their willing co-operation and fullest participation, the foundations of democracy would be, as it were, built on sands. In the initial stages, the Community Development Programme seemingly met with a considerable degree of success and it gained sizeable vocabulary concerned with "Social Change" and "Social-cultural adaptations". People's participation became the corner-stone of this philosophy. But disillusionment was not far distant. It was soon

realised that though a certain push had been given to the amenities programme and there had been a considerable amount of building activity, the enthusiasm of the people, which was proposed up by matching grants and doles, was fast wanning. What was more disturbing was that no headway was being made in the agricultural field. The failure was attributed to the lack of an institutional framework for materialising the concept of people's participation, and the Balwant Rai Mehta Committee, which went into the whole question, came to the conclusion that "People's participation is not merely a question of providing a certain proportion of the cost of a particular work in cash, kind or manual labour. It is their full realization that all the aspects of Community Development are 'their' own and that Government participation is only to assist, where such assistance is necessary. Such participation is possible only through the organization of elective democratic institutions".

This was the basis on which a key role has been given to the Panchayats and an attempt has been made to link them up organically to the district level, through an intermediary stage of a "block" or "tahsil" as an elective body. To illustrate the objective of setting Panchayati Raj institutions from this standpoint, one can do no better than cite from the report of the Study Team on the position of Gram Sabha in Panchayati Raj, issued by the Ministry of Community Development in April 1963.

The Team observed that Panchayati Raj was not only an effort to "ensure devolution of power to a level best

equipped to exercise them in view of the fact that power now came as close to the people as possible, but this also represents an attempt to develop the concept and practice of participating-democracy, as distinguished from representative governments which function at the State and Union level". Again, "the resources which are available at the village-level cannot be surveyed and tapped by the long arm of administration trying to reach the people from the State headquarters, or the Central Government which are located as far away places and whose social, psychological and physical distances from the community are formidable. The concept of participating democracy, therefore, takes roots in the orbit of the small communities, where face-to-face relations obtain and the assets and liabilities of each other are best discerned".

It will thus be seen that the concern here is primarily with participating-democracy and not with devolution of power to a level best suited to exercise them. A hypothesis is made that social, psychological and physical distance between the Central and the State administration and the community is formidable and participating-democracy can only take roots in the orbit of small communities. Participating-democracy, thus, becomes a dogma, and ideology, central focal point, from which must emanate the entire set of relationships and organizational structures.

New Thrust in Democratic Decentralisation, therefore, should be for obtaining local people's active participation who have hitherto been passing and

dis-interested or were even kept under the ignorance on on-spot developmental plans and projects by a conspiracy of a group of rural parasites in collusion with the unscrupulous staff to grab all fund that came from rural local development works, viz., construction and repairs of roads, culverts, bridges, wells, tube-wells etc. The local people must be involved and their involvement alone can help. There is need for creating a partnership between those who are executors of development plans and those for whom these plans are executed, resulting in people's direct active participation and involvement. Democratic Decentralisation cannot succeed without effective public participation.

And above all, an attitude of productivity is also needed after re-orienting the State administration set up in an officer-oriented system of bidding good bye to the clerical Secretariat type of working with too much notings and comments at too many levels, resulting in red-type file work and unnecessary vexacious delays. It, therefore, simply implies that effective public participation and attitude of objectivity is a must for meeting the challenges of the New Thrust in Democratic Decentralisation.

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NEW THRUST IN DEMOCRATIC DECENTRALISATION
WITH SPECIAL REFERENCE TO BIHAR

By

K.R. Sinha,
Sri Krishna Nagar,
Patna.

The new system of power politics has percolated at village level and the working of its dynamics, highlights the needs for New Thrust in Democratic Decentralisation. A study of Bihar Panchayat Samiti and Zila Parishad, along with some details of decentralised democratic administrative pattern for rural development reveals interesting facts.

The Bihar Panchayat Samiti and Zila Parishad Acts, as its title indicates, creates two democratically decentralised institutions in the field of rural self-Government and development on the lines of the recommendations of the Balwant Rai Mehta Study Team for Community Projects and the National Extension Service. The main principle underlying the Team's recommendation is that the Democratic Decentralisation. The Study Team was, of course, mainly concerned with the problems of rural local self-governing institutions. Its recommendations for setting up Panchayat Samitis and Panchayat Parishads were only incidental to its approach to the solution of the administrative problems of democratic decentralisation involved in rural development. Acceptance by the Government of its recommendations in this regard led, however, naturally to a re-examination of the entire position regarding the then existing rural local self-governing institutions, primarily the District Board and the Local Board. The pattern of these institutions

in Eastern India, particularly Bihar, followed were laid down by the Local Self-Government Act of 1885 of the then undivided Bengal, adopted for Bihar and Orissa after its creation as a separate province. For many years there was a widespread feeling of public dissatisfaction with the working of these bodies. With inadequate resources, part-time and honorary public men working with illpaid and quite often corrupt staff, had earned more of bad name than reputation in these bodies. In 1959 the State Government by an ordinance, corroborated by a Legislative measure subsequently, took over the administration of all the District and Local Bodies in the State, election to which had not taken place due to one reason or another for long years. It was then generally supposed, however, that this supersession was not the temporary supersession of individual Boards as in the past but a prelude to the re-organisation of the entire structure of these institutions. It was also given out that the prospective reorganisation was going to be somewhat on the lines traced by the Balwant Rai Mehta Study Team. It took the State Government, however, more than two years to draft a Bill on these lines and about three years to have the Bill passed by the legislature and assented to by the Governor.

The Act, as indicated, deals with two new agencies recommended by the Balwant Rai Study Team, viz. the Panchayat Samiti and the Zila Parishad, and hence is not a comprehensive manual of Rural Local Self-Government. The primary units of the structure envisaged by the Study Team viz. the Gram Panchayats have in fact, been functioning since much earlier and the present legislation does not deal with them.

A comparison of the powers and functions of the Panchayat Parishad on the one hand and those of the District Boards on the other, confirms that the powers and functions assigned specifically to these bodies are mainly of a developmental nature and not so much in the relation of municipal or routine administration and maintenance. It is essential to have an examination of the role of these bodies and of the administrative structure laid down for them in the context of the tasks of democratic decentralisation for rural development as a part of the Five Year Plans.

The Task of Democratic Decentralisation

The main task of democratic decentralisation under the Five Year Plans, since October, 1952, has to be performed by the Community Projects and the National Extension Service. National Extension stands for extending to the farmer the advances in science and technology in the various fields of agriculture and animal husbandry. 'Community Development' stands for comprehensive development of the community as a whole in all the aspects of social life. While 'extension' is purely a matter for the Government departments, development of the community as a whole is a matter for the people themselves. Hence from the beginning emphasis has been laid on popular initiative, co-operation and participation in the programme. It is to promote better living for the whole community with the active participation and, if possible, on the initiative of community; but if this initiative is not forthcoming, "by the same use of techniques for arousing and stimulating in order to serve its active and enthusiastic response". Community projects are of vital importance not so much for the national achievement that they would bring about but much more, so, because they seem to build up the Community

and the individual and to make the latter the builder of his own village centres and of India in the larger sense.

Community Projects, in other words, are aimed not only at economic targets of raising production and improving standards of living but of improving and changing the people themselves. Of course, in so far as the character and attitudes of people and their approach to life change, economic development in particular and social development in general become correspondingly easier but basically the entire programme is conceived in a broader sociological setting. The Five Year Plans emphasis the need for public participation on both these grounds. Programmes which have been built on the co-operation of the people have more chances of abiding success than those which are forced on them. While the official machinery has to guide and assist, the principal responsibility for improving their own condition must rest with the people themselves. It is necessary to stress the importance of the peoples' participation, not merely in the execution of the Community development projects, but also in its planning.

New Thrust lies in Organising Peoples' Participation:

Various organisational devices were tried to give shape and reality to the concept of the role of the people themselves in their own development. The principal among them were the Block Advisory Committee, The Bikas Mandal, the Block Planning and Development Committees and the District Development Committee. While the latter body is supposed to look after the interests of the District as a whole, from the stand point of development within the villages and the association of the people with it, it was the Project or the Block Advisory Committee that was expected to play the crucial role. These bodies were, however, purely

advisory and their personal almost wholly nominated. The degree of initiative that they have displayed has been therefore, largely limited. The Panchayats, of course, were consulted, and the Block Advisory Committees mostly consisted of the Mukhias of the various Panchayats, but the machinery could hardly be expected to play a really important and vital role either in the formulation or in the execution of the development programmes.

The successive Reports of the Programme Evaluation Organisation began to make it clear that the machinery for associating the people with the programme was hardly satisfactory. In those areas where the Gram Panchayats were strong and active enough to have their voice felt the development programmes, catering better to the needs of the people, were more successful even in achieving targets; similarly in areas where the local administrators were sufficiently democratic to take special steps for ascertaining the views of the local bodies or the Gram Panchayat, there was a large degree of public participation in and enthusiasm for the development programme. The programme of evaluation organisation thus emphasises the need for greater association of the Panchayats with Community Development and the New Thrust in Democratic Decentralisation lies in only making the people's participation in rural development a reality.

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THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION
WITH SPECIAL REFERENCE TO SANTHALS

By

Prof. N. Sinha,
Hony. Secretary,
Santhal Pargana IIPA Local
Branch,
P.O. Deoghar (Bihar)

The problems of Democratic Decentralisation are often analysed but as a rule only superficially by the Santhals. It simply implies to the Santhals what we may like to call a modern RAM RAJYA with all powers and functions democratically decentralised.

The Santhals feel suptical about it. The politicians responsible have failed utterly to provide a timely, comprehensive and objective guideline to that complex issue of democratic decentralisation and thereby not prompted their traditional way of living viz. to drink, dance and be merry.

The constitution, powers, function and methods of work at the various levels of democratically decentralised functioning below the State have, no doubt, attracted considerable attention and legislation have been passed to provide a frame work of each institutions. Some of the trends which do not seem to be in the right direction require to be corrected, at least for promoting the welfare of the Santhals as such.

The size, nature and variety of problems that arise in a society depend on the number constituting it and its homogeneity. In administration the Santhal inhabited area covered and the kind of mountaneous and forest infested communications available also come in. The machinery and

manner of public administration has to be tailored to meet the needs of particular Santhal society under the supreme control of traditional and ancestrally designated administrator called "Manjhi". The State is normally divided into districts (some have divisions also) Sub-divisions, Tehsils, Talukas, blocks, villages and so on. The names, population and sizes vary from State to State and also the effectiveness of administration in the different classes. There is, however, unanimity that the district is a distinct unit and must be one of the tiers of democratic decentralised functioning all over India. While this is so, unfortunately districts vary a great deal from State to State and inside State. The areas vary from less than a thousand to nearly 10,000 sq. miles and the population from a few hundred thousand to over 4 million. One of the most immediate problems is to realign districts to some what uniform administrative burden with an area of about a thousand to fifteen hundred sq. miles and a population of round about a million. This would mean creation of a large number of districts in States like Bihar and Madras which have at present very large districts and such a step will confer benefits in the long run far beyond mere administrative convenience democratic decentralisation.

17. Below the districts are the sub-divisions, Tehsils and Talukas called differently in different States. These vary a great deal, while some of them have a long tradition of democratically decentralised administration of land problems they are hardly suitable as an unit for social organisation on an unified basis throughout the country. In fact, some people hold that the district and after that the village only outside constitute the natural units of democratic decentralised functioning. The village varies a great deal both in area and population and at least in some States it is more a unit for cadastral survey than the delimitation of a homogenous group of

residences. Assuming that contiguous rural population have considerable homogeneity of social and cultural traditions from the purely arithmetical calculation the 70 lacs villages of India have a population of 600 people each i.e. hundred and odd families. The transition from this unit to even the average district of a million inhabitants would mean a ratio of one to two thousand. Co-ordination of all the village bodies by the district would be obviously impossible. In certain States particularly where there have been no intermediaries between the State and the cultivator, the revenue units of Tehsil or Talukas have become fairly well developed. In the permanently settled areas there have been so much units. The Sub-divisions are jurisdictions approved for the purposes of law and order and the administration of justice. The community development movement has introduced the new unit of the National Extension Service block. Projects with a bigger area consisting of three blocks which corresponded to a Tehsil or Taluka were experimented with and given up. The N.E.S. blocks originally designed for a 100 average villages with a population of 60,000 have been delimited in all States and in many cases this delimitation has been done with great care allowing not only for area and population, but efficient communications, semi-urban facilities in the form of High Schools, Dispensaries, police stations etc. The actual areas may vary from 60 - 250 sq. miles, population from 12,5000 - 25,000. A uniform staffing pattern of technical extension advisers with an administrative co-ordinator in the form of the Block Development Officer has been involved. This pattern has come into force in nearly three quarters of the country. The officers have been well drilled in their methods of team work, and approach through the educative process of self-help as well as the need for getting the public interest and involved in the management

of their community's problems. The major administrative achievement has been significant in evolving a uniform administrative pattern, introducing a national outlook in dealing with people's problems and is contributing to the integrity of the country. Though all the blocks are now sufficiently old the pattern accepted is of great value in view of the extremely varying environment political, social and natural in different parts of the country and it must stay. The block represents the second natural stage in the ladder of democratic decentralised functioning. Semi urban centres with a cooperative sales union, seed and manure do downs, seed farm a High School, a human and veterinary hospital and in information centre and a library characterise all blocks.

18. The size of the basic unit of the Gram Panchayat again varies a great deal from State to State from about 500 to over 5,000. As stated before the revenue village is often a unit of survey and of a society. The All India average for a village may be about six hundred, but these revenue units of villages have populations from zero to well over five to six thousands. The characteristics for a small well-knit face to face community should be that every family knows each other and should be within seeing distance of each other or constantly meet during the normal daily pre-occupation. With the requirements of a very close-knit society one has to reconcile a sufficient large population which needs common facilities such as primary schools, panchayat buildings and so on - A suitable unit would, therefore, seem to be about 20 panchayats to a block. This would amount to an average population of about 500-700 families and an area of 5-10 sq. miles. This will, of course, vary a great deal from place to place and is by no means a

rigid figures. This kind of organisation would ensure a suitable ratio of population and area between three levels of Gram Panchayat, block and the district. The three tier system of democratic decentralised functioning based on the Gram Panchayat, block and the district have been accepted by most State Governments. The figures suggested are subject of course to local variations but a general acceptance of norms for whole country would constitute a great improvement.

In the ultimate analysis it is not the Constitution of the democratic all decentralised bodies, their statutory powers, the content and extent of their jurisdiction, their capacity to increase production in their area and the way of living or any other test that may be devised that will determine the success of the scheme. The success in the working of democratic decentralisation is the development of the right psychological attitudes that members develop to each other and to the community as a whole, such attitudes, even in an individual who can change only slowly by thinking and acting and seeing the response and adjusting to it, It can not be worked according to the time schedule non material changes in a culture take for more time and alter much slower than the material changes. As society changes as it must, in response to spread of democratically decentralised education, communication and technology the attitudes also change continuously and there can be no static definition for them. But certain basic concepts apply to our country. The goal of salvation through individual effort is firmly ingrained. There have been limitations through the concept of Dharma or duty to one's society, custom and law, loyalty to the king and so on, but fundamentally it is the individual that matters. Any philosophy that puts the community above the individual is unlikely to get support in the long run.

The continued impoverishment and sense of helplessness fostered by over ten centuries of foreign rule has produced an attitude of lac of confidence in one's efforts and resignation to one's environment. National independence proved a great emotional stimulant the novelty of which is somewhat wearing out. All the great fighters for freedom have not proved the ablest administrators nor have all the professional patriots always been the most honest of men when they were invested with powers. The fierce election fights to a parliamentary form of Government and the extravagant promises made that could never be fulfilled have created a sense of disillusionment. The naked and unashamed scramble for power the willingness to use all possible methods, social or antisocial to get the vote, the open bids for personal leadership based on group, caste, class and so forth, the fairly obvious signs of corruption at higher levels were the powerful also grow richer visibly and many others such signs have drained the faith in corporate activity and in institutions claiming to be democratic decentralised. The civil servants who acted on behalf of the previous British Government in trying to suppress the movement for freedom continue to occupy apparently the same positions of power. The spectacle of people elected to the legislatures and other political workers, attempting to interfere in day to day administration by bullying the civil servants has resulted in the apparent spectacle of the rural citizens having two masters to deal with instead of one. The rule of law is visibly being replaced by individual aggrandisement in several cases. Competitives securing of favours of Government through gratuitous relief, or loans that will not be realised, has created the belief that adequate shouting and pressure would bring funds and supplies from Government and is by far the easier alternative to hard work and co-operative living

leading to self sufficiency. The democratic checks and balance associated with the parliamentary forms of democracy are not easily understood and some times not visibly effective. The long phase of the fight for national freedom vested the political aspect, the political workers with great social status almost to the exclusion of other values and while the obsession continues the discovery that political freedom alone does not complete the picture and that a great deal of continuous hard work remains to be done has come as a disillusionment. Each State Government and its Chief Minister claims that its Government is the best but the fact remains that in spite of great advances of Science and Technology, there is lack of security, physical or cultural. An Industrial society so called decentralised democracy and an affluent society have failed to satisfy the inner man.

38. In his relation to society the individual develops a high selfishness in his childhood and slowly extends the area of his selfishness to his parents and later to his wife and family and ultimately to his neighbours, his professional colleagues his district, State, country and so on. In this ever widening circles he meets others who are like him and others who are not. Association with others whom he likes is a fundamental human need. "By belonging to several clubs" he has such contact with many others on different aspects of life. By undertaking a limited association with people in certain matters, though he does not see eye to eye with them in others, he finds he can gain more happiness for himself and the co-operative instinct is born. This natural human instinct is capable of development into a positive attitude of friendliness to others and a willingness to sacrifice a part of his time and service. Every

"citizen has the right to be consulted on the conduct of his society, has the duty to contribute to the general consultations and is bound by the results of the consultation". To foster this instinct amongst Santhals a favourable environment is required. There must be a real democratic decentralisation with well conceived activity that gives the opportunity for creative energy for the public good and a sense of social well being based on accepted traditional Santhal social values. Physical security and freedom from hunger alone do not satisfy. Democratically decentralised institution of Panchayati Raj undoubtedly a traditional experiment on the scale now contemplated conceived on the right lines for Santhals and implemented with faith and wisdom may prove more satisfying for some years to come than the political and social experiment in the past without giving due weightage to their traditional way of life, viz. drink handi, dance and be merry.

39. It is too early to say how far the democratic decentralisation for the Santhal has succeeded. Where they have been attempted as in Rajasthan and Andhra Adivasi area, they have undoubtedly generated public enthusiasm. The reports indicate that these democratically decentralised administrative institute work efficiently where the local people and the Block Development Officer are good man and work together. That is not surprising, therefore new thrust in Democratic Decentralisation lies in awakening the mass to come forward and actively participate in making the democratic decentralisation a reality, let a "Ram Rajya" usher for the Santhals under the guidance of ancestrally designated administrator the "Manjhi" in a modernised form and serve earnestly for the welfare in real terms, without hindering their traditional way of living viz. to drink "handi", dance and be merry.

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THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

By

Mrs. Nutan Sinha,
Research Scholar,
Patna University,
Patna.

The problems of Democratic Decentralisation still jaunts us and has remained unsolved. The Reports of Balwant Rai Mehta Team for Community Projects and National Extension Services and that of Asoke Mehta Committee have not been implemented in toto and in the right spirit. The Asoke Mehta Committee included Chief Ministers of Punjab, Bihar and Tamil Nadu, CPM Leader Mr. E.M.S. Nombodripad, Mr. S.K. Dey, Mr. A.P. Shinde, Mr. Dhundhraj Dhadha, Mr. Mangal Deo, Mr. Mahmood Ali Khan, and Prof. Iqbal Narain. The terms were -

- (1) To review the existing situation regarding democratic decentralisation in the States having the Panchayati Raj institutions from the district to the village levels, so as to identify shortcomings and defects. In particular, to examine the working of these institutions in respect of
 - (a) mobilisation of resources,
 - (b) Planning and implementation of schemes for rural development in an objective and optimal manner, and in looking after the interests of the weaker sections of society.
- (2) To examine methods of constituting the Panchayati Raj institutions, including the system of elections, and to assess their effects on the performance of the Panchayat Raj system.

- (3) To suggest the role of Panchayati Raj institutions and the objectives which could be attained through them, for integrated rural development in the future.
- (4) To suggest measures for reorganizing the Panchayati Raj System and removing the shortcomings and defects.
- (5) To recommend the form and content of the relationship that should exist between the Panchayati Raj institutions, the official administrative machinery, and the co-operative and voluntary institutions in rural development.
- (6) To make such other recommendations, including those on financial matters, as may be necessary to ensure adequate availability of funds for the discharge of the responsibilities that may be entrusted to the Panchayati Raj institutions.

Sri Jay Prakash Narayan in his pamphlet "Swaraj for the People" also expressed his views that the Panchayati Raj should be able as soon as possible to exert real authority over the civil servants under its charge and be fully accountable to it. But at the implementation level the real spirit of Democratic Decentralisation in all such Reports and views seems to have been distorted and frustrated.

More tall talks of New Thrust in Democratic Decentralisation would no longer serve the purpose. In spite of so many years of our independence Democratic Decentralization still remains an utopia, a tale of rural "utopia published" in a Daily presents a picture of what may be called "Little India" and gives factual and specific details which our learned Members of IIPA may like to ponder over and express their opinion.

Even the recent Presidential Election did not arouse any interest in the residents of twin villages of Lemboiya and Tetriya. They already have an elected "President" and

a full-fledged "government" complete with a chief minister, a finance minister, an information minister and even a transport minister.

This "Little India" is not a hideout of gangsters who have styled themselves as rulers and are engaged in terrorising the people. In fact, it is a utopia carved out in an area where the long arm of the law seldom reaches and where the residents of two villages normally living at the mercy of elements have come together to help themselves sort out their problems in an area where governmental help does not reach.

The territory, until the dream was shattered recently had an entire hierarchy of police beginning with a superintendent of police down to a daroga and constable and boasted of a chief of staff, though there is no army.

Situated in the remote Itkhor block, some 90 km. from Hazaribagh, the government of these two villages had introduced an egalitarian system of taxation based on the income of each of its residents. It passed "law" or resolutions and any violation of these invites fines; the amount being decided by a gathering of the 3,000 residents after hearing both sides of the case.

But the period of bliss in Lomboiya and Tetariya was too good to last. In a region where the police are in the habit of fleecing people involved in civil and criminal cases, the lack of crime and other disputes in these two villages was an undersirable development that could well set an example for other villages to follow. The deputy superintendent of police of Chatra (the sub-divisional HQ), Mr. T.B. Soreng, intervened before matters got out of hand.

In his report to the superintendent of police, Hazaribagh, the DSP had charged the villagers with running a "parallel" government.

He had identified the main culprits as Baldev Ram Dangi (President), Dhanushdhari Dangi (chief minister), Doman Mahton (finance minister), Jamun Mahto (transport minister), Balashwar Dangi (information minister), Rameshwar Ram Dangi (SP), Sheodhar Mahto (Chief of Staff) and Rajdeo Dangi (accountant general).

The DSP has cited several instances of the "government" imposing fines, ostracising thieves and generally taking law into their own hands. He had managed, in his report, to paint a picture of terror that is far removed from reality and had requested the SP to send "additional force" to quell the menace.

In his efforts to run down the organization of the villagers, the DSP had failed to mention that the present Baldev Dangi, this year's recipient of the President's (the real one) award for outstanding teachers and was scheduled to collect a citation and a cash award of Rashtrapati Bhavan on September 5, 1987.

When the correspondent of IL-daily newspaper had first visited the region, he found that the experiment conducted in Lemboiya and Teteriyawas the envy of neighbouring villages some of which have tried to duplicate the efforts of these villages but failed. The president and the finance minister provided details of what is a remarkable success story which had changed the lives of the villagers.

And, it would appear, the government of "Little dia" worked a lot faster than the "government that works faster" which is currently in power. In the four years of its existence it had done what the education

department could not do in 40 years - construct a school building for the village.

The "government" had taken up other causes, too. The roads that used to be washed out of existence after an hour's rain are today sturdy enough to hold a truck in the height of the monsoon and the forests around the villages are thickly wooded as the residents, under the guidance of the government, have diligently undertaken afforestation programmes that are more balanced and geared to the needs of the local population than those of the forest department.

It was during the harsh summer of 1984, with drought, poverty, illiteracy and the denudation of forests at its height, when the headmaster of the Katkam Sundil high School and resident of Lemboiya, Baldev Ram Dangi, decided to take matter into his own hands. He gathered the residents of both villages and asked them to join hands and work together in the absence of any help from the administration. The result was a government that has contributed to making Lemboiya and Tetariya one of most prosperous in the region.

One of the first "resolutions" of the new government was to strictly enforce the law making education compulsory till the age of 14. Even the Harijans of the village were compelled to send their children to school and those who refused had to face social boycott. The impact was immediate and in four years Lemboiya and Tetariya have the largest number of students in the region.

It was inevitable, with the welling number of students, that a school building would be required. The villagers once again worked together, manufactured 35,000 bricks themselves and are now in the process of building the

school. They have also constructed nine km. of roads and renovated the local temple and built a stairway to the hill-top where it is located.

A resident of neighbouring Patalgadda village recalled how every Sunday over 300 men, women and children gathered and worked together to build the roads and the school.

The government of Little India soon began tackling social evils like child marriage and alcoholism rampant in this remote and terribly backwards block of Hazaribagh district. But the finance minister, Doman Mahto, conceded that "minor fines" had to be imposed on those who failed to abide by these resolutions.

However, the afforestation programme introduced here had come as a boon for a people who depend on minor forest produce for sustenance. Each family planted at least three fruit-bearing trees every year and heavy fines are imposed on those caught felling trees in the surrounding jungles.

In 1985, Ganauri Dangi, a resident of the village was caught felling trees. A gathering of the villagers decided that he would plant 25 trees in the school compound and tend them till they were big enough to survive. Ganauri Dangi did not comply and the first signs of tensions were evident.

A complaint was filed with the police against the parallel government. They alleged that the government was imposing fines to the tune of Rs. 2,000. In their complaint to the police they have cited the case of Skiru Thakur who was fined because his wife committed suicide and Charan Yadav who was made to do 100 situps for some minor offence.

The president, Baldev Ram Dangi, defended the villagers against the charge of parallel government by claiming that

every person was paying his taxes to the administration. He complained that a few persons were jealous of the success of his experiment and were out to undermine the confidence of the people.

In fact, the villagers have already paid the penalty for being different. Section 107, demanding their presence before the sub-divisional judicial magistrate, had been issued against 25 persons and the villagers have to trek the 60 km. to Chatra on the prescribed date. Some of them start on foot the day before the hearing.

Baldev Ram Dangi argued that his experiment was not different from the community facilities provided by multi-storeyed apartments though the fines were essential to assure that no body veered from the will of the majority.

While there is no doubt that the government of Lemboiya and Tetariya has been largely successful in improving the lot of its citizens and its immediate environment, there is fear that it might soon turn to be a totalitarian state where even valid dissent is not tolerated.

There is near consensus on every issue primarily because the Dangis constitute the majority of the population. Moreover, though welfare schemes are charted out for the Harijans, it appears that they are not party to the decision-making process there by betraying the caste-bias of the majority Dangis.

The facts above illustrate in clear and specific terms how democratic decentralisation is not allowed to take its own natural root in distant rural areas. Jealous neighbours and petty local officials hamper its progress and prospects.

New Thrust in Democratic Decentralisation, in the present context, would lie only in allowing villages like

Lemboiya and Tetariya to go ahead in the all round uplift of what may be called their "Little India". The Government should protect them and provide all facilities in their pious efforts instead of throttling it on the whims of petty officials bureaucrats at the grassroot level of administration.

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THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

By

Mrs. Veena Sinha,
Research Scholar,
Patna University, Patna.

New Thrust in Democratic Decentralisation would, in fact, lie in thrust on real rural development in our country where majority of our people live in rural areas.

It is worth taking note of the facts that recently the Centre has urged States to adopt new strategies and policy initiatives to promote rural development through establishment of suitable non-traditional industries in rural areas.

The States have also been asked to set up production groups under the training of rural youth for self-employment programme (Trysen) for manufacture or assembly of modern items to generate higher employment and per capita income.

In a communication to the Chief Ministers and Lt. Governors of Union territories, the Union Agriculture Minister, Mr. G.S. Dhillon, outlined the new strategy, which includes setting up of resource based industries, promotion of small-scale industries in rural growth centres through incentives, supply of items required by the public sector by village production groups and off loading of high labour content production process to these production groups.

In his letter, Mr. Dhillon said that the emphasis in integrated rural development programme had distinctly shifted to secondary and tertiary sectors, highlighting the role of rural industrialization and slackening demand and it was

increasingly difficult to sell locally produced soap, matches or even handlooms.

Rural industrialization could not be confined to development of village industries alone.

This would help encourage vegetable growing, prawn and fish farming, and tea cultivation was also possible through the IRDP trained groups, adding, off-loading such production processes to rural production groups could be effected through suitable fiscal measures like reduction in excise duty and sales tax.

Small scale industries, need to be encouraged through incentives of Central excise duty.

But mere push and rain-shower from Centre and above would not serve the purpose. Local people must be made to take up all responsibilities of rural development. New Thrust in Democratic Decentralisation today, therefore, lies in involving them in toto.

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THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

By

Dr.(Mrs.) Prabhavati Sinha,
Head of the Department of
Political Science,
Women's College,
Patna University,
Patna.

Citizenship implies the right to be consulted on public affairs, the right and duty to advise on such questions and the acceptance of the decisions arrived at after such consultations. The citizen is for the benefit of the nation. The objectives of social and political justice laid down in the Constitution imply that the people should be associated, to the largest extent possible, in the management of all their common affairs at each level, and in the most appropriate manner. Democratically decentralised Panchayat Raj of Self government is a means to this end. It is not confined to the political institutions or the efficient organisation of local administrative agencies but includes the far wider implication of the building of a better society in accordance with the constitutional objectives where individuals secure for themselves the best possible living, social, economic and political in the different communities and groups of which they are members.

India has been planning her future by mobilising all her resources in order to press through five - year plans all the stages of social economic and political growth which have taken countries of the west a century or more. Slow and gradual change through normal social

and economic laws are not enough. Steps can and must be taken to foster change in what is considered the right direction. But, however, carefully planned social growth will take its own shape and ultimately the community decides what form it will take. The methods of achieving democracy in the West are often mistaken for the substance of democracy. For instance elections may be the best tried methods of ascertaining group opinion. A parliamentary form of democracy based on the two party system may have evolved successfully elsewhere. Nationalisation of means of production may have helped in securing greater economic justice. They are all methods of and not substitutes for democracy. Neither can we assume that they are the only methods possible nor that they are even necessarily the best for a country like ours so different from the West in all important aspects. The need for keeping the goals in view, for innovating and helping rather than hampering the building of better society cannot be over emphasised. In attempting, therefore, to discuss the scope, organisation functions and inter-linking of various levels of the democratically decentralised Panchayat Raj these factors have to be remembered.

States in India vary between seventy four millions to less than twelve millions of population and from over a hundred and ninety thousand to less than thirty - three thousands of square miles in area. A legislature much in excess of 500 is inconceivable. With the introduction of adult suffrage, at the State level one member represents, 75,000 voters and at the Central level nearly 500,000. With an over-all increase of about 20% in the population in the last 10 years representation has gone down further proportionately. Such a trend of representation cannot

ensure that the representatives do represent the voice of the people. In countries with homogeneous populations accustomed for generations to take some interest in national and even international problems and subject to continuous stimulation by widely spread habits of newspaper reading, listening to the radio and seeing television, it is possible for one member to represent as much as 40,000 - 50,000 voters. The member is in touch with his constituency through continuous correspondence. Such a state does not prevail in our country. Actually the voter has to select a candidate between two or more sets of slightly varying doctrines on a few national and international issues and to vote for the candidate of that party whose views on those questions he endorses more than that of other parties; and for the next five years the candidate successfully selected takes part in the Parliament in the decisions of all activities of Government on all issues whether mentioned in the electoral manifesto or not. In fact, a candidate who secures even less than half the votes recorded could often succeed and the successful party can secure more seats in a legislature with less votes recorded in its favour in all than another party. This has worked so far. But when it comes to the issues that concerns his health, communications, education for his children and etc. viz. the problems he understands and that affect him directly, the rural citizen would like definitely to express his own views and would prefer Abraham Lincoln's definition of democracy as 'a rule of the people, by the people and for the people'.

Before independence a third of India with a population of about 1/5th was under the direct rule of the princely order who were administering in all manner of ways ranging from incredibly primitive brutality to a few cases

of enlightened and efficient Government in consultation with the people. The nationalist movement over the half century hardly touched these areas and the people were denied the educative process of the organised fight for freedom. The intergration of these State into one country with the rest (excluding of course what has now become Pakistan) brought at one stroke all parts of what is now India into a single physical unit of operation. While this great achievement made it possible to build an Indian Society, it also showed up great inequalities, social and cultural as well as fundamental differences in the relations between the people and the State, in the structure and quality of democratically decentralised administration at all levels.

India's approach to other nations has been one of faith in peace, respect for others' integrity and unwillingness to tie herself to one or the other of the strong and warring nations in the hunt for temporary security. This released all her manpower and natural and financial resources for social and economic development. Planned development on all fronts with a policy of democratic decentralisation has been undertaken with a view not merely to get the country out of her poverty, ignorance and disease but to place India's economy on a firm, self-sufficient and self-regenerating basis in the shortest possible time. While progress has not been uniform on all fronts and it is possible to differ on various details, the fact is indisputable that no country similarly situated or of this size and backwardness has progressed so fast in such a short time and entirely through democratic decentralised processes. The results of this great revolution have been many, communications, education and industrialisation are altering society and awareness of the

rights to a better living is spreading fast. A democratically decentralised administrative system with new thrust is demanded which will meet the needs of every area quickly and efficiently and it is no longer possible for any Government to neglect the legitimate demands of any area. This can be done only by implementing the policy of Democratic Decentralisation earnestly for involving every citizen, whether of urban or rural area, in the task with new thrust based on modern, scientific and technological development for ensuring quick result.

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"New Thrust in Democratic Decentralisation"

Paper by Sri T. L. SIVAPANDAN

The basic objective of a well organised society is the well being of all its members. Such a society affords the full development of the individuals in harmony with the society's march towards progress. The full development of the individual requires the provision of material conditions. While the improvement of material conditions (economic progress) is necessary, the organization of an ideal society should ensure that such economic progress is the result of everyone's effort and the material accumulation due to such efforts is shared by everyone, and such sharing should act as stimulant to further progress.

Therefore, the crucial factor in the well being of a society is its structure which allows the achievement of ideal conditions of development. Such a structure should function with the consent and participation of all individuals. Our political structure allows, perhaps, for consent (in the form of vote every five years). But participation of individuals in the decision making depends on the power and manoeuvrability of the individual in the society. Such individuals are few in a society structured like ours. That explains the alienation of the majority of the people from the decision making process and the administration itself. It is doubtful whether we will reach the ideal of people's participation unless we change the structure, suitable for such participation. (Development Dialogue, 1977 : p 15 - 19)

We made feeble attempts at such changes in structure, specially after post-British period. Such experiments are still going on in some parts of the country. Do these experiments hold out the promise for the ideals to emerge tomorrow? What are the new thrusts we see in these experiments? In an effort to get some answers to these questions, this paper attempts

- (1) a brief, but critical survey of development of local self-government in India;
- (2) a comparison of the recent efforts in Karnataka for democratic decentralisation with earlier efforts in India and
- (3) an examination of the development experiences in Kerala; the State with a general quality of life comparable to a developed country; specially in the context of people's participation in decision making.

The paper concludes with some pointers to the future.

Critical Survey of Local Self-Government in India

"The tradition of local self-government in India can be traced back to the hoary past. Although it has suffered distortion and oblivion through periods of political uncertainty and foreign domination, its imprint is still so deep upon the minds of the Indian people that its revival and resurrection was cherished as a persistent longing in the freedom struggle against the alien rule. The proverbial prosperity of the ancient Indian village and continuity of the Indian cultural tradition are attributed in no small measure to the functioning of the institutions of local self-government in Ancient India.

The story of impoverishment of the village community and gradual depletion and decay of its best human and material resources is at the same time, the story of the collapse of these collective institutions of village life which expressed the vital common needs of the villagers. (S C Jain, 1987, p 77).

The fact that India was prosperous and the prosperity emanated from villages is well established. It was this prosperity which attracted, the not so well-off barbarians and invaders to attack this country. Perhaps upto the Period of Hindu Revival the local self-government upto Panchayats were well organised. Though caste formation was clear, village Panchayats have been described as "dear for all Varnas because of their equitable treatment." However, the political links through which village interests were represented at the highest level seem to have broken down as a result of ascendancy of towns and cities, growth of imperial ideas and bureaucratic practices which gradually restricted areas of rural self-government. Though the Mughals and British tried to leave the village system untouched, the system of extortion (in various forms of taxes) left no surpluses in the villages.

"The permanent settlement kept the peasant down and ensured their permanent depression" (SC Jain 1987).

Perhaps it may be sufficient here to point out that serious efforts were made towards later half of the British rule for giving more autonomy to the local bodies. Ripon's Resolution (1882), Decentralisation Commission (1906) are the two land marks in this development. But whatever be the nature of local self-governments evolved during this period, they were not based on universal adult franchise. Only well-to-do could vote and the governments naturally represented their interest.

It took more than 12 years after the exit of British for the inauguration of Panchayati Raj in India. As we all know this innovation was a follow up of the recommendation of Belwantrai Mehta Committee, which reported on the success and failure of Community Development (CD) Programmes. When C D Programmes came to be introduced during the First Plan period, it had no strong rural institutions, to act as a vehicle to absorb the programme and to transfer it to the rural people. Though the objectives of the programme were laudable, the machinery to achieve these objectives were bureaucratic.

The vital functionary to achieve the objectives at the grass-root level was the village level worker (VLW). He was to enthuse the local people by creating new ones.

This was indeed a tall order and the VLW naturally took the easy course. To co-ordinate his activities and to channelise technical expertise through him, Block Development Officer and his technical officers worked at the block level. At the district level, the District Collector / Deputy (Development) Commissioner co-ordinated the activities. At the state level there was to be development committee with Chief Minister as Chairman and the Ministers in charge of development, agriculture, irrigation, finance and other related ministries as members. Development Commissioner was to be the Secretary to this Committee. Thus the organisational structure designed for the C. D. programme, except at the State level was bureaucratic. 'The programmes' failure to evoke public enthusiasm and participation and consequentially to increase agricultural production was clear to all. The first comprehensive study of the C. D. programme (Balwantrao Mehta Committee, 1958) pointed out that the governmental nature of the organisation prevented it from allowing the community to occupy the place of prime importance in planning and implementation as was envisaged in the approach governing the programme.

The recommendations were accepted for implementation, but as S. K. Dey (1986) observes, Governments were not serious in transferring power to the people. Maharashtra and Gujarat were the two initial exceptions. They created Zilla Parishads and Block Panchayat Samities and transferred powers for implementing a number of local developmental schemes. But this initial enthusiasm dried up soon and to counter effectively these democratic institutions, they created District Planning Boards, with a Minister as its Chairman and District Collector as the Secretary. President of Zilla Parishad was made a mere member. We know to-day how Panchayati Raj institutions in the States were allowed to die, by not holding the elections and starving them of funds. The Ministry of C. D. at the Centre also was reduced to a relatively unimportant department within the agricultural ministry.

Karnataka's Experiments in Democratic Decentralisation

Organisation : Karnataka's experiment in democratic decentralisation appears more radical than the half hearted attempts made earlier in most other states. The Karnataka Zilla Parishads, Taluk Panchayat Samities, Mandal Panchayat and Nyaya Panchayats Act 1983, envisages bringing down the decision making process in developmental activities upto the village level (Grama Sabhas). Grama Sabhas which meets twice a year under the chairmanship of the Mandal Pradhan is constituted by all those in electoral rolls of the Zilla Parishad, pertaining to the village. It has been conceived as a body to discuss and decide the developmental problems of the village in the context of the mandal, which is a group of villages. The concept of mandal is derived from Growth Centre or Service Centre. Mandal Panchayat is an elected body, every member representing about 500 population with special representation for women (25%) scheduled castes, scheduled tribes and backward classes (proportional to their population). Mandal Panchayat is conceived as a powerful body capable of handling most of the local level functions, including various construction activities, agricultural production, welfare activities, management of forest etc.

The elected body above Mandal Panchayats is the Zilla Parishad. Zilla Parishad will be composed of (i) elected members (one member for every 35,000 population or

part thereof) (2) associate members (Chairman/President of District/Central Co-op Bank) and (3) nominated members (MPs, MLAs & MLCs) with the same criterion for special representation for women, scheduled castes/scheduled tribes and backward classes as in Mandal Panchayats. Zilla Parishad has been given all the developmental activities within the districts including the functions of the District Rural Development Agencies, which stand dissolved.

Between these two levels of elected bodies, a Taluk Panchayat Samiti has been constituted, consisting of members of Zilla Parishad and State legislature representing whole or part of the taluk, Pradhans of Mandal Panchayats in the taluk, Presidents of Primary Land Development Banks, Taluk Agricultural Produce Co-operative Marketing Society; and five co-opted members of scheduled caste, scheduled tribes, backward classes and women. The MLA representing the major part of the Taluk is the chairman of the samithi and the Block Development officer is the secretary.

Taluk Panchayat Samiti, appears to be an innovation and a compromise to give an important role in the local administration to the MLA, whose primary role otherwise is policy formulation at the State level. However, this Samiti, has no direct role in implementation. But it can play a crucial role specially because BDO is the Secretary to this Samiti.

The role of the Standing Committees at Zilla and Mandal levels deserve special mention. These are the good features adopted from the earlier Panchayati Raj institutions.

Two aspects which deserve discussion are the financing and the availability (and also role) of managerial and technical man power capable of making developmental activities. Of these, we will briefly discuss the first.

Finance :- The main source of finance for Zilla Parishad would be funds transferred from the govt. (by appropriation out of the consolidated fund of the state, grants, loans and contribution from govt.) and those raised by its own efforts. For most of the Zilla Parishads, the second source is likely to be small. The main source will be from Govt. The allocation of funds in 1986 was about 2.00 crores for the 19 districts which is indeed very small considering the needs of the districts. The Act provides for a Finance Commission and the First Commission (headed by Shri R. Hanovar) was reported to be working on this problem. (Economic Times May 11, 1986 p 11). For distribution of plan funds to the Zilla Parishad, the criterion now approved by the govt. gives weightage of 50% to the population and the other weightage of 50% distributed based on a number of indicators of backwardness. For the mandal, population gets 50% weightage; area of mandal and dry land area gets 15% each and agricultural labour population and per capita resources raised gets 10% weightage each.

A clear picture, however, can emerge only after decisions are taken by the govt. on the Finance Commission Report.

What is new

What is new in this experiment? First point is the unprecedented transfer of planning, development and administration functions/activities from the State capital

to the democratic bodies upto the village level (Grama Sabha). Whether all the citizens can express their views (especially at the village level) and whether the development will take place based on the felt / expressed needs of the people is a thing to see. Perhaps more than the opportunity, the social and economic structure has a lot to do in making such democratic forces work properly. It is perhaps a matter of consolation that specific representation for women (25%) is provided for. These opportunities may not be used straight away. But as people learn slowly, they are likely to use them bringing in slow change in the functioning of the institution.

The direct link between Zilla Parishad and Mandal Panchayat is also new. Earlier Panchayat Samiti occupied an intermediate position between the two. The Taluk Panchayat Samiti is composed of indirectly elected ex-officio members from various levels meant as a tier for supervision. Possibility of this body acting as a fifth wheel is perhaps not there as it has no executive powers or financial powers.

The designation of the Secretary to the Zilla Parishad as Chief Secretary gives one the feeling that the intention is to treat the Zillas as federating units within the State. Whether this will actually work, by transferring only developmental functions to Zilla Parishad is a doubtful proposition. As real developments take place social tensions are likely to emerge. At that point of time the Zilla Parishad as the initiator of such changes, will need the whole hearted co-operation and support from the Law and Order administration, specially police. What guarantee is there that police would help given the class character of these organisations?

What is strikingly new about the Karnataka experiment is the political will as seen by the events and utterances till to-day. It cannot be said that the ruling party (Janata) has an over-riding majority in all the Zilla Parishad and mandals. Of the total 887 elected representatives of the 17 Zilla Parishads, Janata has 454 representatives and Congress (I) 393, and other parties only 40. Of the total of 54,670 Mandal Panchayat elected representatives, 27,337 (or 50.3%) belong to Janata, 20,679 to Congress (I) 37%, 576 (1.1%) to BJP and 5,783 (10.6%) to others. Yet, at the State Development Council on April 20, the Chief Minister Mr. Ramakrishna Hedge assured the Zilla Parishad that no party distinction would count at the council level (L C Jain, ET, May 11, 1987). The prompt appointment of the State Finance Commission also indicates that the government mean business. But this is only the beginning. How things would shape is yet to see.

Karnataka has, however, long way to go in rural development. In terms of provision of basic amenities (village roads, installed roads, bus stops, post offices primary school, health centre, fertilizer depot etc) Karnataka ranks behind Kerala, Panjab & Haryana. (Basic Rural Statistics. Ministry of Agri & Rural Development 1987).

Kerala which is one of the most 'developed' in the country (the physical quality of life of people is highest here owing to social consumption of people at all levels of life - V. Ramachandran - 1986) is one State where Panchayati Raj institution never worked. Even an effort made in 1980 to push through the democratic decentralisation of administration to the district level was frustrated because of the misgivings of the

partners in the coalition Ministry. And yet the level of consciousness of people and their involvement in local development appears to be high, judged from the indicators of basic amenities.

Though one could point out a number of reasons for the advancement of Kerala in the direction of an egalitarian society, few reasons that stand out are universalisation of education even much before the independence, resulting in an effective rate of literacy over 90%, balanced composition of class, religion and communities, (except for scheduled caste and scheduled tribes,) successful social movements and the high level of political consciousness developed mostly by the grass root level working of political parties. The enlightened electorate tend to keep their representatives in the legislative assembly on their toes. Many times the re-election of these MLAs or the election of another nominee of the same party depended also on the amount of developmental work done by the MLAs during their tenure. Instances are many where the same MLAs have been re-elected because they have been tending their constituencies very well. It would appear that there was a healthy competition among these elected representatives to generate maximum developmental activities in their constituencies. Multi-party coalition and change over of Government from one front to another has helped the dispersal of developmental works throughout the State. Whether such competition between MLAs is a healthy trend is open to question. One direct result of such competition was the diversion of funds from vital projects, resulting, in their delay and in various losses and cost escalations. But the fact that these MLAs have acted as one man teams for planning, execution and supervision of developmental works in their constituencies cannot be denied.

Such experiences in Kerala is not perhaps easily duplicated. In many States where a single party has brute majority, and the people are by and large ignorant, individual efforts to develop the constituency may not be of any consequence for winning the elections.

It is also doubtful whether such competition among the elected representatives to the legislature for bringing development from above is the most desirable thing. In such process, local initiative and resources are not harnessed. People remain passive. Therefore, the full potential for development is not fully exploited.

It is also possible that real needs may not always get reflected when a single representative takes up the role of co-ordinator for such development. The party and pressure group interests intervene to channelise the scarce resources to serve the interest of these pressure groups. A number of instances can be cited when schemes under Tribal Sub-Plan and Special Component Plans (intended) specifically for scheduled tribes and scheduled castes respectively) have been manipulated to serve the interest of such pressure groups with the connivance and blessings of such representatives.

Talking about the Kerala experience, the growth of co-operatives deserves special mention. Though this remains the training ground of budding politicians and retiring abode for ageing politicians as well, the diffusion of its benefits to various levels of people is much wider than in many other parts of the country. The administration of co-operatives is not totally in the hands of rich and powerful with

landed interest). This appears to be another area where political parties try their strength. Administration of the co-operatives seem to change hands in tune with political climate of the day. This is not achieved totally by the democratic processes. Political manipulation plays their part. But such instances seem to come down. The latest evidence is the passing of an amendment to the Co-operative Societies Act & Rules whereby the power to nominate members to co-operatives has been curtailed. In Kerala we have a number of instances where ordinary citizens occupy various positions of importance in the co-operative structure. This should explain the general health of co-operative structure in the state.

In Search of an Ideal Model

The cases of the two states of Karnataka and Kerala were cited only to show that we are yet to go a long way for democratic decentralisation. The ideal would be an enlightened people (like those in Kerala) with a system like that of Karnataka. To bring about such sweeping changes large-scale investment and social revolution involving annihilation of the present social structure based on caste, religion and money is necessary. But as Rajni Kothari puts it.

"The difficulty with a functioning democracy is that it so much disarms the people that a revolutionary upheaval becomes difficult to bring about. But the great thing about a functioning democracy, provided indeed that it is allowed to function, is that it can itself become a vehicle of transformation through structural changes in response to historic needs. And it can do this without a violent upheaval at one point of time (which in any case is not the best way of bringing about radical changes). But if it fails to do this for long, its future is in peril. India faces this challenge at the present time" (Rajni Kothari 1985, in the Introduction to "Grass Without Roots" by L.C. Jain)

One can see seeds of such transformation in the stirrings of rural people, be it in West Bengal, Kerala, Karnataka, Andhra Pradesh, Uttar Pradesh or Madhya Pradesh. Whether it is going to take time for these clouds of stirrings to transform themselves into juicy clouds to bring showers of change after the long spell of developmental drought, is perhaps difficult to predict even for the political Pundits. But all those well-meaning people desiring such a shower has an important role; to work towards an environment where such showers can easily take place rather than drift away.

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NEW THRUST IN DEMOCRATIC DECENTRALISATION.

By:

Subodh Kant, M.L.A.,
Patna.

New Thrust in Democratic Decentralisation lies in improved human relationship at the rural grass-root level. The prevailing distrust and under current jealousy among the rural folk where the democratically decentralised institution of Gram Panchayat, Zila Parishad and National Extension Blocks exist, have stood in the way of their success. There is the urgent need to have a peep into it if we really intend to do away with obstacles that stand in the way of successful working of these democratically decentralised institutions at the grass-root level.

The Gram Panchayat

The relationship of the individual with himself, his natural environment and his fellow beings constitute most human problems. The ties of the individual to his family, Gram Panchayat, members of his profession and the ever increasing circles of the communities of which he is a member differ in nature and content. It is good for one to belong to several

clubs. Human life is far more complicated than that of animal and the education of the child to become an independent member of his community takes much longer and hence the far greater fundamental importance of the family and a well-knit society of people. Outside the family the local community in a Gram Panchayat is a close knit 'face to face' group where each one knows most of the others. Any event of birth, marriage, death, purchase or sale of property and so on in one family is of interest to others and when they go out of the village each one, whatever his caste or profession is a Gram Bhai to the other. In such a group similar social values are shared by all over a much larger area of activity, thought or feeling than in larger communities with less close ties. The region in which difference of interest or opinion arises is much smaller and adjudication by the general sense of the village is acceptable to all. The individual willingly surrenders a large part of his freedom to the community because to a great extent the views of the community are his own and he feels he is an active partner in it. While the individual interests of some people may clash with that of some others, there is not that antagonism or resistance to the public opinion or lack of faith in the general decision which is the mark of a larger and loosely knit society. The common problems for such a community are best solved by all though a few may be selected to execute and watch the progress in fulfilling the common decisions. Such men operate public scrutiny and the high public accountability prevents wrong action for personal gain.

There are no distinctions of staff and line duties, of public policy, programming and execution. Most questions that effect more than a few would come in for discussion in the general assembly which would often meet, as often as once a month. The holding of referenda on local issue in an excellent method not only for ascertaining public opinion but for imparting community consciousness and a sense of solidarity. A Government by discussion ensures an adequate for the creative urge for doing public good and constitutes the first-step towards a satisfied and stable society.

The management of the business of a Gram Panchayat would require some form of organisation. At present the general tendency in most places is to have an election of five to ten members of the village panchayat. The leader or the Mukhia is elected by these Panchayat members or by village as a whole in a separate direct election. Groups, castes and parties contest and the Mukhia is invested with considerable powers to decide on all issues. Often the writ of the political party extends down to the village, notwithstanding all promises to the contrary. The Mukhia is automatically put on his defence against his defeated rivals and his colleagues, as well as the general public and if he hopes to be elected again, dare not do anything that he feels is useful but is likely to be unpopular. "The Opposition" must always oppose and whether it agrees with or disagrees from a view depends not on its merits but whether it is taken by

the Government or the Opposition. All the vices of a parliamentary form of democracy are imported guaranteeing checks and balances that will negative group effort. This is totally undesirable in a small community. Government by discussion does not mean tactics. While powerful opinion has been expressed against this form of constitution in the country and against the totally unacceptable party system in the gram panchayats people in charge of administration and legislation seem incapable of accepting any form of democracy other than the one that they know and which has brought them into their present position of prominence. "The party system has no application to the matters of a village and the problem is how to stop this ratee race infiltrating the villages and destroying individual freedom."

Continuing activity on clearly defined issues gives stability to an administration. The panchayat samiti has several such functions. Apart from occasional consultation on State and union policies and legislation, the creation, maintenance and proper running of the block institutions constitute an important branch of its work. These institutions are in executive charge of various civil servants but it is the responsibility of the Samiti through sub-committee to see not only that the experts do their work and respond adequately to demands made on their knowledge and services by the people, but

also that the necessary public co-operation is forthcoming and that unfair individual demands are not made on these institutions at the expense of the public good. This dual responsibility is essential in building up a sense of rule of law in the community. Free and frank discussions with a full opportunity to the civil servants to present his difficulties and his side of each case and the determination to come to a unanimous decision even if it takes more than one sitting, rather than a quick decision on the snap vote of a majority, will ensure that the decisions taken are just and acceptable to all. The periodic review of progress of these block institutions, their analysis and setting right causes of failure, delay or inefficiency and a continuous search for improvement in the quality and quantum of services rendered by these institutions would not only guarantee efficient working but what is more important will keep all the members of the samiti and sub-committee fully informed of the basic objectives of each of these institutions and their part in the build up of a better society. The need for periodic report to the coordinating level of the zila parishad will certainly be a strong stimulant in the discharge of its functions of the panchayat samiti.

Co-ordinating the work of the gram panchayats is one of the primary functions of the samiti. An important point is that one democratic body cannot effectively supervise another. Such supervision will have to be made through inspection by an expert who will place his finding before the higher body which can

express an opinion. Besides, the block is more advanced type of administration in which the distinction between staff and line definitely come in. The approval of the annual plan of the Gram Panchayats and particularly of one-sided approaches in some Panchayats and their justification according to their local needs would require the general consent of the Panchayat Samiti. The lack of public co-operation in a particular set of schemes in a particular area would require special education. It should be up to the Panchayat Samiti to send its leaders of public opinion to the particular gram panchayat to re-inforce the opinion of the members of that gram panchayat in persuading people to take up those schemes which they have failed to take up. It would be entirely wrong for the panchayat samiti to assume powers of superior authority and interfere in the details of working of the gram panchayat below. The question of subordinating of the one democratic body to another necessarily means the destruction of the initiative and freedom of the lower body. The vertical line of direct responsibility in the bureaucratic machinery is a very different proposition. The difference has not received sufficient attention. Schemes of rural development on the various fronts on the lines already evolved by experts with clear financial and technical pictures have to be selected for each area in order to meet the needs most urgently felt in the different parts of the block. The gram panchayat must have devoted thought and attention in drawing up the schemes they wish to

adopt for their areas. While the block grant somewhat fixes the number of schemes that can be adopted under the various subjects of agriculture, animal husbandry etc. from the financial point of view, it is certainly open to gram panchayat or the samiti to insist on adoption of more schemes by supplementing it by a higher rate of public contribution. Each gram panchayat will automatically assume that it gets its fair share of the Government grant under the different heads. Apart from the planning, the question of review of progress periodically is most vital. This introspection or self evaluation is productive of great effort and provides the best social education to the community. Systematic checks indicate in time defects or delays in each of the various areas which are easy to correct at that stage. A complete discussion implies great public accountability and there can be no possibility of any person trying to divert public funds or services for his personal interest. This public accountability at the base is the best guarantee against corruption.

The total financial assistance available to each block consists not only of a nuclear fund under community development administration but also of the funds spent by the different technical departments of Government on rural welfare as a grant to each block to be expended by the Block Development Officer under the jurisdiction of the panchayat samiti. In the Five-Year Plans all distributable expenditure is divided between blocks, treating

them as of equal weightage. Except for Central and State schemes which cover more than one block the major part of the Five-Year Plan Funds that affect the rural sector should pass on to the block. In addition, certain special funds er-marked for vulnerable communities like the SCheduled Caste and Scheduled Tribe, some backward class schemes, special grants for women and youth movement would form an addition to the block. All these constitute what may be called the consolidated fund of the block. It is essential that the picture of the funds should be clearly drawn and put before the samiti. This means the splitting up of the Five-Year Plan to a large extent between the blocks. The special funds should be clearly ear-marked and spent for the special communities and the rest of the fund granted for all the areas equally. A further question arises whether in addition to this there should not be a study as to whether some steps should not be taken for equalising the over-all economic differences between the different blocks. This study would involve the creation of certain index figures e.g. agricultural produce per acre, communication, percentage of literacy and so forth which would reflect accurately the total productive capacity or income and the consumption or standard of living of the people in a block as a whole. If such analysis could be evolved satisfactorily and to a reliable degree it would be worth-while to reserve a certain percentage say 20% of the distributable funds to make up for economic differences between the blocks. A statutory guarantee of minimum funds for the maintenance and

running of block institutions and the grants in accordance with the Five-Year Plan is essential. One of the greatest set backs to democratic functioning is uncertainty of finances. Local Political tensions at the block or State level should not be allowed to affect the finances of a block. If the management at any of the levels fails totally there should be provision for running the basic institutions directly through the Civil Services. But such provisions should be confined to circumstances prescribed by law. Whether a local self-governing institution is superseded or working unsatisfactorily the public cannot be denied the services of the institutions run by it and the minimum guaranteed statutory finance must always be available.

Zila Parishad at the District.

The Zila Parishad is the co-ordinated level of democratic functioning of all the panchayat samiti in a district. The problems of the district Zila parishad and the functions of administration at the district level have been dealt with in greater detail elsewhere. The district has developed under the British into a key-level of administration. It marks the transition from policy making and the supervisory to the executive stage and contains all the three elements. In addition to all the powers vested in him, the District Officer as the local representative of Government, has the residuary responsibility for proper functioning of all departments of government in his district. At this level public participation should be introduced gradually. The district

parishad should take an advisory role and not undertake either the regulatory functions of establishing order and administering justice or of collecting revenue. The District Officer may be out of the Parishad but he should have the right to address the Parishad and it should be the right and duty of the assembly to call for his views before discussing questions of importance. Whenever they differ a reference to the next higher level viz. the State Government or the Commissioner where such officer exists should be necessary before final action is taken. Only an expert in the line can run a larger machinery of professional experts and civil servants. Where that machinery fails anywhere public men should bring to notice all such failures but it is the man in charge who put the fault right.

The district covers a wider area of heterogeneous population including rural as well as industrial, mining and commercial centres and large institutions catering to special needs. It is a sample of the country as a whole. The nature of the community involved is essentially altered at this stage. The small face communities cease to exist. Administrative operations on a larger scale more economic, efficient and complicated come in. There is less participation by the individual; and the mass scale operation designed for the mythical average does not exactly fit any one. In a community whose economy is dominated by large industries the vast majority are converted into wage earning labour, devoid of interest in the common problems and the only

common bonds are the weekly wage packet and the competitive consumption of standardised consumer goods. The conflict of the 'inner directed will' as against the 'outer directed' develops. Progressive dissatisfaction sets in and may take disruptive forms very different from the original reasons. "Private affluence" leads to less public interest, and therefore, to "public squalor". This has happened elsewhere and should be a pointer to us. The affluent society which has 'arrived' and has solved most problems of poverty and disease has by no means proved a happy society. The indications are that dissatisfaction and psychological maladjustments are increasing. The remedy lies largely in social and economic planning in order to evolve sound values. The issue is relevant as the shape of the society will determine the form of public administration.

The previous antipathy between public services and the public men has resulted in misconceptions of monopoly of efficiency and integrity on one side and of patriotism and love of the people on the other and these die hard. The relative powers and prestige of the two classes at each level attract disproportionate attention. They function in different shares and there need be no conflict. They only represent two complementary agencies for the public good, one largely voluntary, changing in personnel and representing the wishes of the people, the other, permanent expert, intent on carrying out the wishes and

no less of the people. In democracy where the public men might change from time to time through elections the integrity and continuity of the permanent administrative machinery is a vital factor. To develop a line of public bureaucracy as against the administrative bureaucracy by vesting in the Chairman at each level with far more powers than are vested in the members of that body is a serious mistake. The notion that the people's representatives should be the arbiters of not only what should be done but how it should be done, and have complete control over the actions and rewards and punishment of the executives who carry out the people's wish is charged with the emotional hangover of the past conflict between people's leaders and the permanent services of the previous foreign Government. Such a political hierarchy can only bring confusion to the public services. That is not contemplated in our Constitution. The chairman should in every case be paralled to the president of an assembly. The idea for instance, of giving salaries and jeeps and the powers to control the members of the administrative machinery to the chairman is basically wrong. The recent decision at the meeting of Ministers of Community Development not to give salaries and convert the Mukhia and Pramukh into public servants is not welcome, the essence of public work in local self-government is that it should be voluntary and, therefore, honorary some compensation in the form of daily or other allowance may be found necessary but not one that takes the form of a monthly salary.

The less the difference between him and the members of the public body over which he presides, the more frequent his elections, say, every year or so, the more democratic the functioning of that body.

There is wide-spread and considerable misgiving regarding the capacity of the democratic bodies to take the right decisions or performing the right actions. The penetration of antagonism based on party ideology, religion, caste etc. at the higher levels into the lower levels is assumed to be inevitable. A total collapse of public administration leading into chaos and possible loss of natural freedom is feared in some quarters. Such thinking is based on some fallacies and fails to face some facts. An attitude of fear of any change is part of it. It ignores the growing sense of awareness of the rural population of their political and economic rights. It forgets that the best way of guiding a mass upsurge is to accept the fact and to channelise it rather than attempt to clamp it down. Clamping has proved disastrous every time in this and other countries. It fails to face the fact that the present system is incapable of meeting the increasing demands of public administration and people's effective participation, the pace of progress to which the country is committed. These forces cannot be put back without disastrous consequences. While the little democracies may take incorrect decisions that affect them for sometime to come, the decisions will be on local factors while the direction of

development will continue to be guided by the national and State Plans and schemes worked out on expert knowledge and evolved at higher levels. The little democracies will not change the national policy. Over very large fields they will act as local governments i.e. agents of the State and Union Government. The area of local self-government where they decide the policy will though covering a large number of questions be confined to only local aspects. Mistakes made will be on a much lower scale than in a centralised system. The far greater accountability will reduce corruption and irresponsibility or the use of power for personal or sectional interests at the cost of public good.

What exactly should be the relations between the little democracies on the one hand the State and Union Governments on the other has only lately started receiving attention. The constitutional objectives, the fundamental rights and the directives, of State policy govern them all. The dignity of the individual and the integrity of the nation seem to need more attention than they have received in a fast changing society that is adopting, apparently without adequate scrutiny, all the measures that have led to a centralised and industrialised and in many cases, an affluent society in the West. The list of matters that fall in the jurisdiction of the gram panchayat would include all questions which affect a citizen directly which he can and

wishes to make a contribution. But the other levels viz. the block samiti and zila parishad would also deal with the same list in regard to their inter-panchayat or inter-block or the zila levels primarily. However, whether the central and State legislatures which are already well established, according to the parliamentary form of democracy that prevails in some western States, can be changed to the system of representation of the next lower unit e.g. zila parishad or the State Assembly respectively is a matter on which public opinion has not been exercised adequately except for certain notable exceptions. But as things are, the efficiency of representation and the methods of working at the State and Union levels are fundamentally different from those of the little democracies. It would, therefore, be supremely inappropriate - as is happening now in many places - to put the members of the of the zila, block or gram parishad. They are selected area and are continuously concerned with larger question and not special needs and problems in their constituencies, except in their limited and negative role of the legislator as a check on the working of the administration of the executive. The basic assumption that each man, group of of interest is selfish and likes likely to sacrifice the well-being of all in its interest. The vote of the majority of such selfish interest should prevail. An individual joins a group if he realises that the larger voting power which he may influence as a member will ultimately bring him more advantage than retaining his individuality. Any attempt to help in the build up of

the legislators as the leaders of the little direct democracies, in fact, even any opportunity given to them to evolve that way, would sap the foundations of proper democracy at the grass roots. The qualities required, the outlook expected and the loyalties inevitably developed are completely different, if not antagonistic between the two sets of bodies. A legal provision that no person who is enrolled as a member of any political party can stand for election or become a member of the zila parishad, panchayat samiti or gram panchayat or Block Advisory Committee, is necessary.

It is only, then, that they would be able to serve the people with full concentrated energy by improving human relationship at the rural grass root level and thereby provide new thrust in the working at the democratically decentralised institution of gram panchayat, zila parishad and National Extension Blocks.

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987.

NEW THRUST IN DEMOCRATIC DECENTRALISATION

By

Saroj Kumar Verma
Member, I.I.P.A.

Prof. Harold J. Laski in his book "A Grammar of Politics" says, "We cannot realise the full benefit of democratic government unless we begin by the admission that all problems are not central problems, and that the results of problems in their incidence require decision at the place, and by the persons, where and by whom the incidence is most deeply felt." This constitutes the real problem of local government and from this problem emerges the need for decentralisation. Decentralisation means distribution of governmental powers and responsibilities between the centre and the local areas in which the country, if it is small in size like Britain, or the provinces of a big unitary state, or the states of a federation, are divided for administrative convenience. The provincial or State Government is the central government for all local areas within its jurisdiction. Decentralisation is, thus, a centrifugal movement which aims to entrust local organs created in local areas with powers local in character, the presumption being that people belonging to the locality can know best and appreciate their own problems and needs and can solve them best. Any set-up in which local people are denied association with the administration would suppress their ability, talent and initiative. In such cases the sense of responsibility and the capacity to administer affairs remain undeveloped.

For several reasons, local bodies in India have less authority as compared with local bodies in the advanced ~~countries~~ countries. Moreover, the actual standard of development and efficiency is low. As a close analyst said, the administrations of local bodies is neither truly local nor is it self-government. Their resources are insufficient and they have to depend to a large extent on the State governments through grants and loans.

In France, local government is highly centralised; in England, on the contrary, there is high degree of decentralisation, in the belief that a local body has the inherent right to conduct its affairs in

its own way and with the maximum degree of independence. Lately, however, the tendency even in England is towards centralisation. In the U.S.A., there is complete autonomy; every township is a local small-scale democracy, almost a republic within a republic.

In India, the implementation of democratic decentralisation through the Panchayat Raj institutions was meant to give an opportunity for local initiative and participation in the developmental activities. The Barwan Lal Mehta Committee was formed because of the fact that the Community Development Programmes could not be successfully implemented as long as they were completely under the aegis of the government. Hence a linkage between local leadership enjoying the confidence of local people and the State Government had to be established to translate the policies of the government into action. Together with these programmes, other works of local need have also to be taken up. Thus at the local level both types of developmental works have to be undertaken, and for this purpose the mobilisation and participation of the local people is essential. The Panchayat Raj Institutions were meant to legitimise such leadership as would inspire such participation of the local people. In the words of the Committee, "So long as we do not discover or create a representative and democratic institution which will supply the local interest, supervision and care necessary to ensure that expenditure of money ~~xxx~~ upon local objects conforms with the needs and wishes ^{of} ~~the~~ locality, invest ~~with~~ it with adequate power and assign to it appropriate finance, we will never be able to evoke local interest and excite local initiative in the field of development."

It was not contemplated at that time that these institutions would be highly charged with policies which inevitably bring in caste affiliation, party affiliation and fractional affiliation into play when the choice of leadership takes place during elections. Romantic and idealistic overtones prevailed in the minds of political thinkers which blurred their vision

and when in actual fact 'politics' began to play there was a great deal of disappointment with these institutions. There were many who viewed the whole system with a great deal of pessimism. It needed unshakable faith in the capacity of the common manⁱⁿ the village to participate intelligently in the affairs of his village, to combat such scepticism and doubt. Pandit Nehru with his characteristic long-range vision and idealism went to the extent of saying, "Democracy is not merely Parliament at the top or in the States, but something that exists every person and indeed every place in the country if need arises. I have said, and I meant it, that all this panchayati raj, whatever things we are doing, are ultimately meant to train up every individual in India to be a potential Prime Minister of India."

What was actually meant by this aspiration which Pandit Nehru aimed at was to involve all the people in the country in the process of development in an intelligent manner and panchayati raj bodies give the opportunity for all people to be sharers in the task. This is a process of mass involvement in the process of democracy. But as the institutions started functioning, it became clear in some cases that they lacked vitality to mobilise the local people for participating in their local affairs. Unless people are enthused to participate in their local affairs, they are not likely to appreciate the relevance of developmental efforts both at the State and Central levels. They fail to grasp that the local leadership - both political and administrative are there to carry out the local people's collective aspirations and that they are not merely carrying out orders of the far-away State Government and still far-away Central Government. They see that Government as tax-collector, a policeman, an evictor, and not as an agency accountable to the people for carrying out tasks of development, thus playing a constructive role.

No socio-economic change is possible without a suitable political structure to mobilise the local people and to involve them in participatory work especially in a country of India's magnitude and complexities.

In order to protect democracy at the

grassroot level, the Mehta Committee recommended that the State Government should supersede Panchayati Raj Institutions on partisan grounds. In any case, a re-election should be held within six months of supersession. Excessive interference has undeniably eroded local government, local initiative and local responsibility. In a real democracy, there is a close integrated partnership between Central and local authorities in order to ensure a high standard of achievement. It is obvious that if local authorities are to make their full contribution to the democratic way of life, they must not be reduced to the position of mere subservient agents of the Centre.

Perhaps the most heartening development in recent weeks in the field of democracy at the grassroots has been the Zila Parishad and Mandal Panchayat elections in Karnataka. The elections in Karnataka have been free and fair, and these were conducted in a non-partisan manner. What is more, there has been a substantial devolution of power from the State Government to local bodies in respect of executive power and also financial resources.

This is an important development because the central feature of local government in India has been the lack of inherent powers of taxation. The Constitution does not specify any taxes for exclusive use of local bodies. This prompted the demand not yet conceded by the Centre, that local bodies in India should be given a separate list of taxes on the lines of those mentioned in the Union and State lists in the Constitution.

Another opposition-ruled State that has successfully held local elections is West Bengal where the CPM-led Left Front arranged Gram Panchayat, Panchayat Samiti and Zila Parishad elections twice in recent years in 1978 and 1983.

The contrast in grassroots democracy as prevailing in opposition-dominated and congress-controlled States is significant. The Congress which has been in power at the Centre for a long spell, has not either held internal party and organisational elections ~~nor arranged elections to all~~

not arranged elections to all local bodies in these States, except in Gujrat in January this year.

Another interesting and instructive argument has been put forward for the notable phenomenon of local elections in opposition-governed states. Acquisition of control over local bodies in as many areas as possible would obviously strengthen the hands of the opposition parties in demanding and securing a greater degree of decentralisation and devolution of power, thus facilitating more equitable Centre-State relations. The opposition parties apparently hope to gain popularity by holding elections at various levels and winning them. They are certainly ahead of the Congress in this regard.

The Congress leaders too seem to be aware of the importance of ensuring democracy at the lower levels if it is to continue in power on the national scene and at other levels. The roots of democracy in the country will become stronger if the Country's principal ruling party holds the Karnataka type elections in the States it controls. The Centre should also transfer concrete powers, executive and financial, which local bodies in Karnataka are being given.

It should be noticed that decentralisation of power means also the decentralisation of responsibility. Concentration of power at the Centre implies lack of responsibility among the people. This is the situation in India to-day. The people look to the Government for the solution of their problems and do not think it necessary to try to solve them on their own. The consequence is that our politics oscillates between exaggerated popular expectations from a newly constituted government and dashed hopes within few months thereafter. Democracy will be stabilised when power is decentralised and thereby responsibility is shared between the government and the people.

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7. Tamil Nadu
8. Uttar Pradesh
9. West Bengal
10. Santhal Pargana Local Branch

Additional list of Contributors :

(Papers circulated at the Conference)

1. Dr. N. Ashirvad
Reader,
Nagarjuna University,
Nagarjunanagar.

New Thrust in Democratic
Decentralisation

2. Shri H. R. Bangia
Asstt. Admn. Officer,
NIPCCD Regional Centre, B-113, Nirala
Nagar, Lucknow.

-do-

3. Shri Sibranjan Chatterjee,
Asstt. Prof. of Pol. Sc.,
Chandernagore Govt. College
&
Hony. Jt. Secretary, IIPA West
Bengal Regional Branch.

-do-

4. Dr. V. P. Deo,
Pune

The Panchayati Raj System
The Experience and the Experiment:
New Thrust

5. Shri T.N. Dhar, Hony. Secretary,
IIPA, UP Regional Branch, Lucknow. New Thrusts in Democratic
Decentralisation
6. Prof. Vasudeva B. Kamath
Personnel Consultant, Bombay. New Beginnings in Democratic
Decentralisation
7. Sh. Krishan Kumar, Adv. Supreme Court,
No. 125, Supreme Court Compound, ND Post Audit of Constitution and
Constitution Makers-Decentralisation
8. Dr. K. Murali Manohar, Reader,
Deptt. of Public Admn., Kakatiya
University, Warangal. Synopsis on Decentralisation
Policy in India: A View-point
9. Dr. Bharat Mishra, Reader, Deptt. of
Pol. Sc., H.D. Jain College, Under
Magadh University Service. New Thrust for Democratic Decentra-
lisation in Rural Local Bodies in
Bihar.
10. Dr. Sakti Mukherjee, Calcutta
University and
Dr. Indrani Mukherjee, Maharani
Kasiswari College. New Thrust in Democratic Decentra-
lisation.
11. Deva Natarajan, 27 Ist Floor,
Eswaradas Lala St., Madras New Thrust in Democratic Decentrali-
sation-A Success story from Tamil
Nadu
12. Shri N.K. Prasad, Commissioner of
Payments for Maruti Ltd., Ministry
of Industry, New Delhi. New Thrust in Democratic Decentra-
lisation
13. ~~Shri S.P. Perumal~~
Director of Town Panchayats, Madras. -do-
14. Dr. Marina Pinto, Reader,
University of Bombay. Panchyati Raj -Delegation, Integration
or Decentralization
15. Shri N.C. Raghavachari
Mylapore, Madras. New Thrust in Democratic Decentra-
lisation
16. Prof. C.V. Raghavulu,
&
Shri E.A. Narayana, Nagarjuna
University, Nagarjunanagar. Mandal Panchayats in Andhra Pradesh:
A Meaningful Decentralisation of
Authority
17. Dr. B. Janardhan Rao, and
Shri P. Hussain Khan, Kakatiya
University, Warangal. Mandal Panchayats in Andhra Pradesh-
An Experiment of Democratic Decent-
ralisation.
18. Shri G. Sreenivas Reddy, Reader,
Kakatiya University, Warangal Towards Reforming Local Government
19. Shri S.N. Sangita, Associate Prof.
Instt. for Social & Economic
Change, Nagarabhavi, Bangalore. Panchayati Raj Experiments in
Andhra Pradesh in Karnataka: A
Comparative perspective.
20. Shri B.D. Sharma, Commissioner for
Scheduled Castes & Scheduled Tribes,
New Delhi. Democratic Decentralisation-Basic
Conceptual Ambivalence
21. Sh. H.B.N. Shetty, IAS
Madras. Democratic Decentralisation-A New
Thrust
22. Dr. B. Singh, and
Dr. Nityanand Singh, Patna. New Thrust in Democratic Decentra-
lisation

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
Bihar Regional Branch, Patna-800003.

Members' Annual Conference - 1987

The 9th September, 1987

New Thrust in Democratic Decentralisation

Conference Room, Main Secretariat,
Government of Bihar, Patna.

R E P O R T

Member's Conference of the Bihar Regional Branch of the Indian Institute of Public Administration, Patna on the subject "NEW THRUST IN DEMOCRATIC DECENTRALISATION" was held at 3 P.M. on 9th September, 1987 in the Conference Room, Main Secretariat, Government of Bihar, Patna. Sri R. Srinivasan, IAS, Chief Secretary, Government of Bihar cum Chairman of the Bihar IIPA Regional Branch presided.

Dr. J.K.P. Sinha, Honorary Secretary presented the theme paper. In his theme paper he said that New Thrust in Democratic Decentralisation should be for obtaining local people's active participation which have hitherto been almost negligible. In fact, democratic decentralisation in India is facing challenges of creating new thrust --- openness, subtlety, sensivity and intimacy in relationship, increasing organisational value and ethical conduct and organisational commitment to egalitarian relationship and distribution of power wholistic

concern and higher valuation of the human potential for self-directed actualisation, developing collective capacity for effective team work and co-ordination, generating human motivation and involvement, facilitating human satisfaction and, in general, creating a culture of humanistic innovation and productivity.

According to him, Democratic Decentralisation existed in some form or other throughout the long history of India. Local Self Government is no exotic in India and throughout the ages some traces of it lingered in the villages. The British continued the tradition, but introduced new ideas and institutions. He traced the history of democratic decentralisation in detail and discussed in detail the roles of James Wilson, John Strechey, Samuel Laing, Lord Mayo, Lord Ripon and others during the British regime.

He dealt in detail in his theme paper about the common features, general structure and composition of Panchayati Samitis and Zila Parishads, their functions and their resources along with their general working pattern. According to him, interest in Democratic Decentralisation arises primarily out of processes of modernisation which are going on today throughout the world. It deals with administrative problems which arise as Government seek to promote through decentralisation agricultural, industrial, educational and medical progress, and also to the reform of Government organisations and bureaucratic

procedures which necessarily accompany these processes to grass root level. The more politically developed a polity, the more capable it is of using administrative reforms to promote democratic decentralisation, but the weaker the polity, the less able it is to absorb the expansion of bureaucratic organisation without being pushed thereby towards political decay or retrogression.

And in this context of a weaker polity, all our efforts since Independence for democratic decentralisation in the State of Bihar, visibly stands defeated or one may call it as being "self-defeated". None in particular can be blamed. It, however, cannot be said that we have not done our efforts. All that was possible was done. The importance of the democratic decentralisation and, particularly for the rural base, was well realised as 92% of the State's population live in rural areas.

He enumerated the basic administrative and organisational issues that have been eating into the very vitality of the system. The first and foremost issue, according to him, that attracts our attention is the personal policy and staffing pattern of the Rural Development Organisation. A Block Development Officer who was a student of an average merit sits & bosses over all. The Doctors, Engineers, Industrial, Agricultural, Animal Husbandry and Co-operative experts who were brilliant topper students of their batches play the second fiddle to him. Inner controversy between the Doctors, Engineers and other development experts and

the B.D.O. make the smooth working of the organisation almost impossible. "A rule of jungle" is let loose, the hand of each against the hand of all. They were spending all their time and energies in establishing who was a bigger and more powerful officer among themselves and this alone provided full time engagement to them. They have no time to attend seriously to any development work.

Secondly, the dual control of these different Extension Rural Service experts by their parent departments and the B.D.O. have eroded the 'unity of the command'. The unbridled staff care for more and indulge in serving their ownself in all possible ways at the cost of the neglect of rural development work.

Thirdly, the image, both outer and inner of these Extension Service, have negatived development of efforts and general 'self-defeating' factors in rural areas. The B.D.O. Shaheb with a bit of bureaucratic air and touch (only if you see him in action in a village) is not positive in engulfing the distance between the people and the Government existing even during the allien Government, on the other hand enlarged the gulf and the distance. His image should have been cast as being one among the rural people and not being a "Bara Shaheb", "Chhota Shaheb", "Bara Babu" etc. They have not been able to obtain people's willing participation and their involvement in development work. The image is thus "self-defeated" one for rural development.

Fourthly, the power politics from above, both the Centre and the State with all its group controversies have percolated at village level. And with patronage of voting constituency, there grew a host of vested interests and a hand of contractors, go-between, mawns and the so-called politician's men always busy in swallowing all the development funds allotted for rural development works. Piles of papers and files of paper piled up. Most of the development works have not even touched the ground.

According to him, New Thrust in Democratic Decentralisation, therefore, should be for obtaining local people's active participation who have hitherto been passing and dis-interested or were even kept under the ignorance of on-spot development plans and projects by a conspiracy of a group of rural parasites in collusion with the unscrupulous staff to grab all fund that come from rural local development works, viz., construction and repairs of roads, culverts, bridges, wells, tube-wells etc. The local people must be involved and their development alone can help. There is need for creating a partnership between those who are executors of development plans and those for whom these plans are executed, resulting in people's direct active participation and involvement. Democratic Decentralisation cannot succeed without effective public participation.

And above all, an attitude of productivity is also needed after re-orienting the State administrative set-up in an officer-oriented system by bidding good bye to the clerical Secretariat

type of working with too much of notings and comments at too many levels, resulting in red-tape file work and unnecessary vexacious delays. It, therefore, simply implies that effective public participation and attitude of objectivity is a must for meeting the challenges of the New Thrust in Democratic Decentralisation.

Papers were also presented and written by Prof. Vishwanath Singh, Prof. Mrs. Prabhavati Sinha, Prof. Mrs. Waziha Murtaza of the Patna University, Principal K.N. Sahay of Deoghar, Sri R.B. Pandey, Additional Collector, Deoghar, Sri K.B.S. . Srivastava, IAS, Deputy Commissioner, Deoghar, Sri Kamlesh Tulsyan, Advocate, Deoghar, Prof. N. Sinha, Secretary, Santhal Parganas IIPA Branch, Mr. Nutan Sinha and Veena Sinha, Research Scholars of Patna University, Sri Subodh Kant, M.L.A., Mrs. Tanuja Singh and Mr. Veena Sinha, Sri K.R. Sinha and Sri K.R.N. Sahay, Engineers and Sri R.P. Agarwala, Industrial Consultants, Muzaffarpur.

Inaugurating the Conference, Mr. S.A.F. Abbas, IAS(Retd.) struck a note of pessimism, saying that he entertained grave doubts about democratic decentralisation becoming a reality in India. He said decentralisation could either trickle down from institutions at the top or could take place with village communities throwing up powerful leaders.

Mr. Kamla Prasad, IAS Rural Development Commissioner Govt. of Bihar & member of the IIPA's Regional Branch, suggested the

formation of a Tribunal to decide the conflicts arising between the State level and the District level administrative bodies, besides a constitutional guarantee protecting the interests of the latter. He felt that one important reason for the decline of the Panchayati Raj System was non-holding of elections.

Lively discussions, thereafter, followed in which Sri Jaya Narain Advocate and a close associate of J.P., Sri H.R. Sarbebidaya, Comptroller, R.A. U.Bihar, Pusa, Sri J.K. Singh, Executive Engineer, Sri P.R. Trivedi, IIBM, Patna participated.

Sri Arun Prasad, IAS, Chairman, Bureau of Public Enterprises welcomed the guests. Sri R. Srinivasan, IAS, Chief Secretary-cum-Chairman of the Local Branch, delivered his presidential address. Reference was made by him to the declaration of our Prime Minister at the recent All India Panchayati Conference to take up the issue effectively. Talking about democratic decentralisation, Sri Srinivasan referred to the need for an attitude of equality, its value concept, modernising the process at work without harping on much glorious past and about reforms of election system, discarding open hospitality and, lastly, about concept of divisibility of limitless power. He advised for a change in the administrative style of the country and for the training of administrative animals and put a stop to the endless growth of leaders upon leaders, designating themselves even as "Chakravarty" without really serving the people. He further impressed about the need

of a large number of co-operatives capable of taking decisions to meet the daily needs of the 90% of the population and accept the equality and modernisation as value in an open minded society and setting up functional co-operatives and caring for the mass society.

There was a general agreement of opinion that the process of decentralisation in India has not emerged as strongly as expected, only due to its inner contradictions, lack of education and modern outlook among the people. Recommendations were made for making constitutional provisions to protect the democratically decentralised body and hold regular elections.

The Conference ended with a vote of thanks by the Honorary Secretary of the Regional Branch Dr. J.K.P. Sinha.

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
INDRAPRASTHA ESTATE, RING ROAD
NEW DELHI-110002.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

DELHI REGIONAL BRANCH

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
REPORT OF THE REGIONAL CONFERENCE HELD ON 19 SEPTEMBER 1987
ON
NEW THRUST IN DECENTRALISATION

BY: Dr(Mrs.) Noorjahan Bava
Secretary, Delhi Regional Branch, IIPA.

The Delhi Regional Branch of the Indian Institute of Public Administration organized an one-day regional conference on New Thrust in Decentralization on 19 September 1987 at the IIPA Auditorium. Prof. M.V. Mathur, Vice-President of the I.I.P.A. presided over the inaugural session and Dr. P.R. Dubhashi, Secretary (Coordination), Cabinet Secretariat, Government of India and former Director of the I.I.P.A. delivered the Inaugural Address. Dr.(Mrs.) Noorjahan Bava, Secretary, Delhi Regional Branch gave the keynote address in the second session. Prof. R.B. Jain Vice-Chairman of the D.R.B. presided over the remaining sessions. At the third session papers were presented by Sarva-Shri N.K. Prasad, V.P. Gupta, both Members of the Executive Committee of the Delhi Regional Branch, T.V. Sairam, Dr. B.M. Verma, C.M. Tyagi and Krishna Kumar - all members of the Branch. A number of members present at the Conference also participated in the

fruitful discussion that followed. They were: Prof. R.B. Jain, Shri S.N. Goel, Ms. Shanta Gopinath, both retired administrators, Shri J.S. Rao, Member, Income Tax Tribunal, Shri C.K. Poddar, Personnel Manager, National Projects Corporation, Col. Batra (Retd) and Shri S.C. Vajpeyi, Member, Executive Council, Delhi Regional Branch and Pro-Vice-Chancellor, Indira Gandhi Open University.

In his inaugural speech, Dr. P.R. Dubhashi said that the subject of decentralization is not only important for India but also for many other countries of the world. A keynote of the tremendous reforms taking place in France under Mitterand, in China under Deng Zioping and Soviet Union under Gorbachev's keywords of Glosnost (Open Economy) and Peristoiika (autonomy for economic enterprizes) are also in the shape of decentralization. He distinguished politico-administrative decentralization from economic decentralization and stressed the need to strike a balance between centralization and decentralization in the Indian federal system so that India's national unity and unity in diversity can be achieved together. He referred to the recommendations of the Singhvi Committee to give a philosophical and constitutional thrust to Mahatma Gandhi's concept of Gram Swaraj and the C.A.D Committee's recommendation to strengthen district administration for development, and appreciated the Karnataka Government's radical structural reform of rural development administration with a view to strengthen Panchayat Raj Institutions.

In her keynote Address Dr.(Mrs.) Noorjahan Bava pointed out that the main theme of this Conference, viz, New Thrust in Democratic Decentralization indicates that our planner and policy makers have come to realize that in a country of India's size and diversity planned economic development and social change hinges on the active participation and full involvement of people and decentralization is the most effective instrument for ensuring peoples participation in the development process. This realization is not something new, she said, because Plan after Plan reiterated the need for people's participation in the formulation and implementation of India's development plans and programmes but what is new is the strong conviction of the Government that "what we have achieved in this direction is awefully inadequate and measures must be taken in order to ensure real and meaningful decentralization in practice and hence the new thrust on decentralization, she outlined some steps for the future in the direction of decentralized development which include the continuation of the thrust on decentralization in India's approach to rural development, greater devolution of powers to grassroot levels of government and administration in the interest of national unity strengthening of PRIS introduction of district and block planning land reforms, removal of social stratification through education, uplift of women, and weaker sections of society and removal of poverty and unemployment for ensuring people's participation in development and nationbuilding.

Other Recommendations

1. A proper climate for genuine decentralization at all levels political administrative, economic is necessary for accelerated planned economic development and social change in India.
2. Panchayat Raj Institutions should be strengthened by more devolution of powers, financial resources, bestowal of constitutional status on PRIs, regular and timely elections and strengthening of district/block administration voluntary agencies should/mobilize be encouraged to peoples participation in development .
3. Small scale cottage industries and cooperative units in villages must be developed to generate employment opportunities.
4. The concept of multi-level planning must become a living reality in the country. District and block planning need to be strengthened.
5. The recommendations of the Singhvi/Committee and V.K.R.V. Rao Committees in respect of decentralized development be implemented.
6. The Karnataka experiment in rural development administration be emulated by other states.

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NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE - 1987.

The Report of the Regional Conference of the Indian
Institute of Public Administration, Kerala Branch,
Trivandrum, held on 26th September, 1987.

The Regional Conference for 1987 of the Indian Institute of Public Administration, Kerala Regional Branch, Trivandrum, was conducted on 26th September, 1987 at the Conference Hall of the Mascot Hotel, Trivandrum. The subject for discussion at the Conference was "New Thrust in Democratic De-centralisation".

2. The conference was inaugurated by Shri V.J. Thankappan, Minister for Local Administration, Kerala State. He stressed the need for democratic decentralisation and declared that the Kerala District Administration Act would be implemented by the present Ministry as early as possible. He commended the Karnataka Act as a laudable model and expressed the view that the local units should not be allowed to face any financial constraints.

3. The conference was presided over by Shri G. Bhaskaran Nair IAS., (Retd.), Chairman of the Kerala Regional Branch. He gave a theoretical exposition of the process of devolution of powers and decentralisation. It facilitates quicker decision and renders faster service. He emphasised the special significance of Development administration which should be action-oriented, goal-oriented and result-oriented. There should be a special

urge to bring out social equality and welfare and for this the administration has to penetrate to rural areas and should have a sense of involvement.

4. Shri V.U.K. Nambissan, Hony. Secretary of the Regional Branch, welcomed the gathering and at the close of the conference, Shri K.P.K. Karnavar, Joint Secretary of the Branch proposed a vote of thanks.

5. As the theme paper from the IIPA, New Delhi was not received till the date of the conference, a paper on the subject was presented by Shri P.K. Sivanandan, IAS., Special Secretary to Government of Kerala and this paper was the basis of the discussions. After giving a critical survey of the growth of Local self-Government in India and the process of Democratic De-centralisation in the Rural Development Sector in India, Shri Sivanandan explained the salient features of the recent experiment in democratic de-centralisation in the Karnataka State. It was described as more radical than the half-hearted attempts made earlier in most other States in India. The bold step taken there for transfer of planning, development and administrative functions from the State Capital to the democratic bodies upto the village level is the new feature of the present Karnataka model. The political will to implement the new system is the striking feature. In Kerala where the so called Panchayati Raj Institutions never worked, there is a very high rate of development, especially in terms of the

physical quality of the life of the people. The level of consciousness of the people and their involvement in the local development is very high. In Kerala, the MLAs have acted as one man team for planning, execution and supervision of development works in their constituencies. However, it is doubtful whether the full potential for development can be fully exploited by this system. The ideal model suggested is an enlightened people like those in Kerala with a system like that of Karnataka.

6. Dr. V.K. Sukumaran Nair former Vice-Chancellor, Kerala University, Barister Mathew Philip, Dr. M.A. Oommen, Professor, Institute of Management in Government, Kerala, Dr. Yohannan, Sri. Sethuraman, President, Chamber of Commerce, Trivandrum, Shri P.A. Sreenivasan, Additional Director of Agriculture (Retd.), Shri. Shankaradasan Thampi, Retd. Principal, Law College, Dr. Jose Chandar, Director, of Correspondence Courses, Kerala University, Dr. Raman Pillai, Professor of Politics, Kerala University, Shri. Vikraman Nair, Retd. Chief Engineer, Shri S. Vengappan Asari, Retd. Additional Secretary, Shri Sankaranarayana Pillai, District Inspector of Local Fund Accounts, Smt. Rugmini Amma, Deputy Secretary to Government Shri P. Vasudevan, Retd. Librarian and Sri. Sri Kumar Participated in the discussions.

7. The main recommendations of the conference are the following:-

- i) In order to give functional, financial and Administrative autonomy to the decentralised bodies (as in Karnataka) the Constitution should be amended.
- ii) For ready redressal of grievances especially in the matter of petty offences involving small amounts, social offences and similar ordinary cases there should be decentralisation in the judicial sphere also. This can be had by a small committee with the P anchayat President as its head and including a member of legal standing. (Somewhat similar to Nyaya Panchayats in Karnataka).
- iii) The most important step towards a decentralised set up is to educate the people so as to prepare them to shoulder the new and higher responsibility.
- iv) Local development needs should be planned by the local units in the decentralised set up.
- v) The duties and responsibilities of the local units should be laid down with a selective sectoral approach.
- vi) For streamlining organisational inputs operational study at Taluk and District level should be undertaken.

- vii) Tackling the problem of un-employment among women should be one of the major functions of the local units.
- viii) There should be adequate safeguards against corruption.
- ix) Peoples' involvement in the Rural Development activities can be fostered only by bringing about a proper attitudinal change in the bureaucracy and awareness among the people. The extension education approach of the C.D. movement of the fifties and sixties should therefore be adopted with suitable changes.
- x) The democratic decentralisation process should be conceived as a social reform.

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

Report on the Regional Conference held by
the Maharashtra Regional Branch (I.I.P.A.)

By
S.S.Gadkari

It is a fortunate coincidence that the Indian Institute of Public Administration, New Delhi selected the subject of Democratic Decentralisation for this year's conference. 1987 is the Silver Jubilee Year for the Zila Parishads in Maharashtra which came into being in 1962. Another reason why the subject was particularly welcome in Maharashtra is that the Maharashtra Government had recently appointed a committee for the evaluation of the Panchayati Raj in Maharashtra and the Report of the committee which was received last year is under the consideration of Government. The deliberations of the conference would be particularly useful for Government.

2. Our Regional Conference was held on the 26th September 1987. It was inaugurated by the Maharashtra Minister for Rural Development. The Chief Secretary who is the Chairman of the Maharashtra Regional Branch, welcomed the Minister and other participants and the concluding address was given by Dr. V. Subramanian, Maharashtra Minister for Urban Development.

3. The theme paper for the conference was prepared by Shri V.B. Mandlekar who was Secretary of the Evaluation Committee and the Principal speakers included:-

- (1) Shri D.D.Sathe, Retired Chief Secretary who was the Secretary of the Committee which prepared the ground work for democratic decentralisation

in Maharashtra and who was the first Secretary for Rural Development;

- (2) Shri P. Subramanian, Secretary, Rural Development Department, Maharashtra;
- (3) Dr.(Smt.) M.R. Pinto, Reader in Public Administration, Bombay University;
- (4) Shri Madhukar Bhawe, Editor, Lokmat;
- (5) Dr. N.R. Inamdar, Chairman of the IIPA Local Branch, Pune.
- (6) & (7) Two Chief Executive Officers of Zila Parishads.

Some office-bearers of Zila Parishads and Panchayat Samities also participated in the discussion.

4. The issues raised in the theme paper have been reproduced in the Annexure to this paper. The conference was divided into two sessions - (i) about the Role and functions of the Zila Parishads and (ii) the other about the administrative problems of Z.Ps.

5. Maharashtra, as many people may be aware, had effected the maximum amount of decentralisation and many people including even the Government of India were doubtful about its success. As Shri Sathe put it some people had said that it would be democratic disintegration rather than decentralisation. Fortunately these fears turned out to be baseless and Zila Parishads in Maharashtra have given a good account of themselves during the last twenty five years. They have proved a good training ground for politicians and social workers and have also provided leadership at the state level.

6. Most of the speakers however complained about the erosion of the role of Z.Ps. in later years. Mention was particularly made of the following points:-

- (i) Not entrusting the Anti Poverty Programmes to Z.Ps. and the establishment of parallel agencies like the District Rural Development Agencies(DRDAs). The justification given for these new agencies is that this is according to the pattern laid down by the Government of India. It was however pointed out in this connection that in Karnataka the Anti Poverty Programmes had been transferred to the Panchayat Raj Institutions.
- (ii) Reference was also made to some other salient features of the Karnataka experiment viz. -
 - (a) Establishment of Mandal Panchayat as recommended by the Asoke Mehta Committee;
 - (b) The establishment of a Finance Commission for Panchayati Raj;
 - (c) The establishment of Nyaya Panchayats;
 - (d) The establishment of a State Development Council analogous to the National Development Council.
- (iii) Reference was also made to the programmes for Horticulture and Social Forestry in Maharashtra which should have been but were not entrusted to the Z.Ps.
- (iv) Another point of criticism was the taking away of the function of District Planning from Zila Parishads. In Maharashtra which was one of the first states to adopt District Planning, initially the Chief Executive Officer of the Zila Parishad was the Secretary of the District Planning and Development Council; but later on this function was transferred to the Collector of the District.

- (v) Zila Parishads in Maharashtra are dependent on Government grants for nearly 95% of the funds spent by them. Most speakers pleaded for more independent resources for Zila Parishads and less dependence on Government grants. For this there should be a State Finance Commission and allotment of more united funds.
- (vi) Some speakers also expressed a feeling that Zila Parishads had neglected the weaker sections of the society as they are dominated by the landed gentry. They are also plagued by casteism, inefficiency and factionalism.
- (vii) In view of the tendency to postpone elections of Z.Ps. some speakers suggested the appointment of an independent Election Commission for Z.Ps.

7. In regard to the administrative problems the following issues were brought up -

- (i) The unsatisfactory relationship between the officers and office bearers in many Zila Parishads;
- (ii) Although the C.E.O. is a senior scale I.A.S. Officer, as compared to the Collector he is usually a junior officer. The C.E.O. should be an officer with at least ten years of service.
- (iii) Officers working in Z.Ps. need more protection in particular the confidential record of the C.E.O. should not be written by the President.
- (iv) The provision in the Act about "no confidence motion" against the C.E.O. should be deleted.
- (v) Transfers of employees was a very serious administrative problem.

8. Winding up the Conference Dr. V. Subramanian the Maharashtra Minister for Urban Development said that democratic decentralisation was a matter of One's faith and basic political philosophy.

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
MAHARASHTRA REGIONAL BRANCH

Conference on
New Thrust in Democratic Decentralisation
Some Important Issues for Discussion

In the perspective of the discussions in the Theme Paper circulated some of the important issues which emerge for consideration are listed below:-

(1) Long-term objective of Democratic Decentralisation (Panchayati Raj) ... Establishment of democratic Local/District Government discharging all district level developmental, Municipal and ultimately regulatory functions.

(2) The Panchayati Raj institutions have really suffered a serious set-back because of:-

- a) Lack of confidence in the very concept of Democratic Decentralisation;
- b) meagre responsibilities;
- c) scanty resources;
- d) tendency to postpone elections; and
- e) antipathy at both the political and official levels.

To remove these deficiencies and to ensure their continuous functioning Panchayati Raj may be granted Constitutional status and recognition in some suitable form.

(3) Whether the Panchayati Raj system should have three tiers as at present or whether, in the final analysis it should have only two tiers with the Zila Parishad at the district level and the Mandal Panchayat at the 'Mandal' level, the latter in due course replacing the Village Panchayats and the Panchayat Samitis.

(4) Constitution of Zila Parishad/Panchayat Samiti -

- a) association of M.Ps/M.A.s as Councillors/Associate Councillors/Members;

- b) association of Representatives of Urban Local Authorities as ex-officio Councillors/Members; and
- c) constitution of independent election organisation.

(5) Devolution of functions on Panchayati Raj institutions:-

- a) broadening of the 'District List' to include subjects concerning all aspects of Rural Development which generally are capable of being more effectively handled by the Zila Parishads and which will promote local initiative and participation; and
- b) establishment of parallel organisations/offices/agencies/societies at the district or lower levels by or with the financial assistance of Government to deal with functions already entrusted to or which would hereafter be entrusted to the Zila Parishads ... Transfer of such organisation of Zila Parishads (Karnataka Pattern).

- (6)
- a) Possibilities of augmenting Zila Parishad's really 'OWN' resources e.g. taxes, rates and fees (Approximately 1.86 percent of Zila Parishad's total Revenue Receipts).
 - b) Possibilities of augmenting Zila Parishad's deemed own resources e.g. Cess on Land Revenue, Matching Grant etc. (3.24 percent).
 - c) Suggestions regarding grants from Government (Approx. 94.90 percent).

(7) Grant for 'Residual Development Expenditure' for local works.

(8) Establishment of Panchayati Raj Finance Commission, essentially for determining Purposive Grants and norms thereof ... yearwise and Zila Parishadwise for five years.

(9) Responsibility of Zila Parishad in Planning of District level Schemes.

- a) Representation of P.R.Is. on the District Planning and Development Council.
- b) Establishment of the Planning Cell under the D.P.D.C. in the Zila Parishad.
- c) Chief Executive Officer of the Zila Parishad to be the Secretary of the D.P.D.C.

(10) Chief Executive Officer of the Zila Parishad ... To establish the primary of development administration over house-keeping should the status of the CEO be higher than that of the Collector?

(11) Role of voluntary agencies in Rural Development particularly in the planning processes.

(12) State Government's powers of control over the Panchayati Raj institutions particularly regarding ordering an inquiry into their affairs, their dissolution or supersession, their inspection and supervision, giving them directions and prevention of extravagance by them.

Indian Institute of Public Administration,
Rajasthan Regional Branch, Jaipur.

Report of the Regional Conference on 'New Thrust
in Democratic Decentralization' for Thirty-First
Members' Annual Conference, 1987

In Conference was held on 28 November, 1987 amidst great enthusiasm.

A lively and educative discussion following the presentation of main points of Dr. S.N. Mishra's theme paper on 'New Thrust in Democratic Decentralization' and several other papers presented by the members took place. The main points that emerged are as follows:-

A. General Observation

- i) It was opined that though there has been a lot of talking about democratic decentralization over the last thirty years, little has been achieved in the sphere of participatory development through local self-government institutions. The government and the public bureaucracy seems to be bent upon centralization;
- ii) Political lobbying and pressurization for getting things done is fast becoming a norm because of the tendencies of centralization in decision-making process;
- iii) As a reaction to an observation that on the philosophical domain, Gandhian philosophy of rural emancipation through self-help and cottage industry and Nehru's policy of capital - intensive heavy industry runs counter to each other, it was submitted that there is no reason why a centralized polity embarking upon industrialization and at the same time emphasizing development of local institutions can not go together;
- iv) Local self-government institutions have not been given enough of chance to flourish and function independently of political and bureaucratic interferences.

B. Desirability of Democratic Decentralization

- i) There was a general consensus that democratic decentralization provides a better strategy for local-self government and rural development than the earlier approaches tried in India;
- ii) The basic objectives of democratic decentralization as enunciated in the Ashok Mehta Committee Report are in consonance with the ideals of democracy, secularism and socialism;
- iii) In the context of the socio-economic and political problems of the polity, a firm commitment on the part of the state machinery to implement democratic decentralization would help in fostering national unity and in cultivating a sense of participation among the weaker sections of the society.

C. Conceptual Issues

- i) It is necessary to analyse, at the conceptual level, the reasons that were responsible for emphasizing decentralization during the 1950s and the factors that paved ways for de-emphasizing it in the subsequent decades;
- ii) Democratic decentralization in India needs to be viewed in flexible terms keeping in mind the contextual realities obtainable in different states;
- iii) Broadly, democratic decentralization in India should be addressed to readjustments in administrative structure, functional delegation, devolution of authority and responsibility at the local self-government tiers including the village level and complete operational and financial autonomy to the P.R. institutional bodies. The over-riding connotation of democratic decentralization in India should be on decision-making through consensus;
- iv) Once the Sarkaria Committee Report is made public, the academicians and researchers must subject it to thorough

examination for identifying its recommendations relating to the sharing and transfer of authority, responsibility among the Centre, States and PRIs including other local level organizations.

D. Structural Aspect

- i) Non-statutory Panchayat, as evident in the traditional and informal office of the 'Mukhia' has survived to this day. However, with the introduction of PRI as reshaped through the First Mehta Committee recommendations, thus creating 3-4 tiers of local government organisation, the effectiveness and vitality of this traditional institution got considerably weakened. The system of election and politicization has polluted the harmonious environment that existed in the villages in the earlier days. A new thrust on democratic decentralization must aim at establishing linkages with the traditional gram-root panchayat;
- ii) In the Ashok Mehta Committee Report, the emphasis on institutionalization of PR system is a recommendation in the right direction. However, at the structural level, the Report has neglected the Mandal Panchayat Committee. In actual democratic decentralization move, the pivotal role should be played by Gram-root Panchayat and their federating unit at the Mandal level. The Zilla Parishad may play facilitating and coordinating roles;
- iii) PRS in Andhra Pradesh, Karnataka and West Bengal which have made commendable strides in recent years should be carefully for suggesting structural changes in the system;
- iv) Multiciplity of organisations for rural development needs to be discouraged for the sake fuller blosoning of local self-government institutions, effective coordination and

better planning. Mushrooming of organisations at the village and intermediary levels only confuses the villagers. It also encourages the growth of 'middle-men' or 'agents' between the villagers and the institutions;

- v) There should be constitutional provision for regular holding of PR elections. Besides, the states must frame statutory rules so that the office of the Sarpanch does not remain vacant for any considerable length of time.

E. Resource Mobilization and Financial Autonomy

- i) The psychological barriers created over the years through dependence on government subsidies and reliance on the government for supplies and services must be broken;
- ii) Facilities for resource mobilization at the local level should be explored with right earnestness;
- iii) PRIs must be given greater financial autonomy.

The conference ended with an expression of thanks to the IIPA for choosing the theme for its Thirty-First Members' Annual Conference.

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

By: T.K. Thanickachalam

(Proceedings of the Seminar on "New Thrust in Democratic Decentralisation" - held by Tamilnadu Regional Branch of I.I.P.A. on 12-9-87 at Khadi Gramodyog Bhavan Silver Jubilee Hall Madras-87)

The seminar was held as a prelude to the National Seminar to be held in Delhi in October 87 and it was attended by 110 members. The Chairman of the Regional Branch Thiru V.Karthikeyan, I.A.S.(Retd) Presided over the seminar and in the unavoidable absence of Justice Thiru C.J.R. Paul, Dr. C.T.Kurien, Director of the Madras Institute of Development Studies inaugurated the seminar.

Justice Thiru S. Ratnavel Pandian, Judge, High Court, Madras and Chairman of the Legal Aid Committee of the Regional Branch welcomed the gathering and pointed out New thrust democratic decentralisation is vital for a vigorous democracy.

Thiru V.Karthikeyan, in his presidential address referred to the century old growth of local self government institutions in the country and how this helped to build up leaders of the community with experience in administration and regretted that in recent years, the decline in the importance and powers of those institutions has set in all over the country, and suggested that there should be a constitutional amendment to ensure the regular conduct the Elections to the local bodies under the supervision of the Election Commission of India. He also mentioned that the financial resources of most of the local bodies are totally inadequate to meet their obligations as civic bodies and therefore the Finance Commission has to be empowered to allocate enough resources to local bodies also.

Dr. C.T.Kuriën in his address referred to the historical aspects of the development of local self government institutions in the untry and pointed out how State Governments have not been enthusistic about vesting them with more powers or adequate resources. An unwillingness to part with Parliamentarians. In a growing modern democracy, a healthy growth of local bodies was very essential and Decentralisation of powers and formations below the state level was a pressing necessity. He added barring Karnataka and Gujarat, there was hardly any serious attempt at decentralised planning at District and Block level in other states.

Thiru H.B.N.Shetty, I.A.S. Special Commissioner and Secretary for plan implementation, Tamilnadu, presented a paper tracing the developments on the Panchayati Raj side and advocated a sort of District level government with a fixed allocation of the resources enough to execute all the projects meant for that district. He wanted the revival of the post of Development Commissioner which should be in the grade of a Chief Secretary, entrusted with responsibility for coordination and human resources development. He also deprecated the liberal use of the powers of supersession of local bodies by State Governments and said such cases should be extremely rare.

Shri N.C.Raghavachari, Senior Advocate, presented a detailed paper giving an elaborate history of the enactments relating to local self governments in India from 1884 onwards and also analysed the provisions in the relevant acts with suggestions for improvement wherever necessary.

Another paper by Thiru S.P.Perumal, Director of Town Panchayats, Madras was also circulated to the members which described the current set up of local self government institutions in Tamilnadu.

The other speakers were Thiru P.A. Daivasikamani, Thiru Deva Natarajan and Thiru Nathan.

In the valedictory address by the Chairman Thiru V. Karthikeyan, he made a strong plea for distinguishing between democratic decentralisation thereby meaning greater transfer of powers peoples representatives at the local level and official decentralisation thereby meaning greater delegation of powers to field offices. He urged that both the aspects deserve urgent attention in view of escalating costs of projects and growing plan outlays.

Thiru T.K. Thanickachalam, Secretary, proposed the vote of thanks.

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
INDRAPRASTHA ESTATE, RING ROAD,
NEW DELHI-110002.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

Report of the proceedings of the Seminar on
"New Thrust in Democratic Decentralisation"
organized by the IIPA, West Bengal Regional
Branch, on September 26, 1987.

SIBRANJAN CHATTERJEE
Hony. Joint Secretary
West Bengal Regional Branch.

Under the auspices of the IIPA, West Bengal Regional Branch, and in collaboration with the Administrative Training Institute(ATI), Government of West Bengal, a seminar on "New Thrust in Democratic Decentralization" was held at the ATI on September 26, 1987. The seminar was presided over by Prof. Nirmal Bose, Minister-in-charge of Food and Supplies Department, Government of West Bengal. It was well-attended by academicians, civil servants and bank officers.

2. While inaugurating the seminar Prof. Bose observed that the concept of local self-government is not altogether new in our country. He particularly stressed upon the new dimension of decentralization of planning as developed by the Left Front Government of West Bengal.

3. Four papers were submitted. Dr. Sakti Mukherjee and Dr. Indrani Mukherjee (Joint Paper), Prof. Sibransan Chatterjee, Debabrata Raychaudhuri and Prof. S.R. Mukherjee presented their Papers.

4. Dr. Sakti Mukherjee, Reader in Commerce, University of Calcutta, observed that new thrust in democratic decentralization

is necessary to revamp the local bodies which are not working well in all areas. New thrust is also necessary to implement the idea of decentralized planning.

The local self-governing bodies in West Bengal, according to Dr. Mukherjee, are troubled with multiple problems, such as: (i) State Government's excessive interference in the working of local bodies; (ii) In many areas local bodies are torn by severe political rivalries; and (iii) Many local bodies are crippled by rampant corruption, favouritism and nepotism.

Dr. Mukherjee suggested a number of measures to rejuvenate the local bodies: (1) Proper and effective delegation of power to local bodies, (2) The local bodies must be allowed to enjoy some sort of autonomy, (3) Effective steps must be launched to check all sorts of corruption and misuse of public funds, (4) An integrated approach to development programme in both urban and rural areas is urgently necessary, (5) Adult education programme must be organized to increase popular interest and participation in local self-governing bodies. (6) Lastly, the citizens must keep an watchful eye on the workings of local self-governing institutions.

5. Prof. S.R. Mukherjee, Lecturer in Law, University of Calcutta, sharply criticized the concept of democratic decentralization, as we understand today. To him, to-day's political development is not a thrust on decentralization. It is in the process of development of political community which may, if possible, give a shape to the democracy.

6. Prof. Sibranjan Chatterjee, Assistant Professor of Political Science, Chandernagore Government College and Honorary Joint Secretary, IIPA, West Bengal Regional Branch, observed that although the desire for decentralization appears to be almost universal, the concept does not evoke the same unanimity as regards its meaning and scope. Various and rather conflicting

interpretations lead us to terminological confusion and hardly present a full view of decentralization.

Tracing the development of the rural local self-government in India, Prof. Chatterjee noted that after Independence, there was good deal of thinking on decentralization. In this connection, he referred to the deliberations in the Constituent Assembly on this subject.

While admitting the positive aspects of the panchayati raj Prof. Chatterjee pointed out certain basic defects of the working of this system: (i) the panchayati raj reinforced the traditional power structure in the villages; (ii) lack of self-reliance in financial resources; (iii) enormous government control over local bodies; (iv) role of bureaucracy in dissociating the panchayat institutions from the development process; and (v) lukewarm attitude of the political elite at higher levels towards strengthening the grassroot institutions. Reference was made to the reports of the Asoka Mehta Committee and Dantwala Committee.

In a bid to search for an alternative approach, Prof. Chatterjee discussed Gandhiji's approach to decentralization. The salient features, according to him, of Gandhian view of decentralization are as follows: (i) development of healthy relationship between the city and the village. (ii) concept of self-sufficient village, to be distinguished from closed village community; (iii) the elected village panchayat to be invested with not only executive, but legislative and judicial functions too, (iv) Gandhi's rejection of the pyramidal structure of polity and the concept of "oceanic circle", and (v) decentralization is not an isolated concept, but a means to the realization of the fundamental values of swaraj and non-violence.

Prof. Chatterjee firmly repudiated the contention that Gandhi's approach is utopian and revivalistic. But, he opined,

there is nothing wrong if the Gandhian ideas are adapted to the altered circumstances just as Marx was adapted to varying historical and geo-political contexts.

7. Shri Debabrata Raychaudhuri, an officer of the United Bank of India, made the following suggestions:

i) The ministries in Delhi and their counterparts in states will be required to critically examine their rules and procedures and systems of work, (ii) The controversy involving the generalists and the specialists will need to be resolved. (iii) Performance orientation will call for a major revision of the roles of government audit department, the finance ministry as well as the finance departments of the state governments. (iv) Debureaucratization of the administrative culture will call for planned recycling of the public administrators between field assignment and office work. (v) It will be desirable to develop a "dialogical" relationship between the administrators and the people. The elitist bias for planning by the elite for the people will need to be substituted by a healthy concern for people's sentiments and the potential of their contribution.

(vi) In the matter of mobilising popular support as a resource to the Plan implementation programme a newer variety of organisational design will need to be conceived. The conventional institutions of representative organs such as panchayats more often than not represent the elitist culture in the rural areas. So the need will be to search for meaningful alternatives, not necessarily to weaken the representative institutions but to establish deeper roots for Plan objectives by seeking wider linkages among the people.

8. The presentation of Papers was followed by discussions. Dr. Asok Kumar Muhopadhyay, Reader in Political Science, University of Calcutta, Prof. Amiya Kr. Chowdhury, Lecturer in Political Science, Howrah Girls' College, Dr. Bela Ghosh, Member, West Bengal Public Service Commission, Dr. Pravat Goswami, Reader in Political Science, University of Calcutta, among others, who took part in discussions. N.P. Bagchi, IAS, Director, ATI, summarised the main points of the papers presented and discussions held. K.K. Naskar, IAS, Special Secretary, Food and Supplies Department, Government of West Bengal, and Honorary Secretary of the West Bengal Regional Branch, gave the vote of thanks.

9. At the end of the seminar, ATI organised a very good lunch for the participants.

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New Delhi-110002.

REPORT

A conference on this year's I.I.P.A. Member's Conference theme 'New Thrust on Democratic Decentralisation' was held on 28.8.87 at Nav Giri Bhila, Shrikanto Road, B. Deoghar (Santhal Pargana) the theme paper with Special Reference on Santhals was presented by Prof. N. Sinha. He depicted the state of affairs existing in Santhal Pargana in detail and analysed the causes of the failure of the policy of Democratic Decentralisation there. According to him the Santhals were sceptical about this. The politicians responsible have failed utterly to provide a timely, comprehensive and objective guideline to that complex issue of democratic decentralisation and thereby not prompted their traditional way of living viz. to drink, dance and be merry.

Papers written by Sri K.N. Sahay, Principal (Retd.) Deoghar College, Sri K.B.S. Srivastava, I A.S. Dy. Commissioner Santhal Pargana (Deoghar) Sri R.K. Pandey Additional Collector Deoghar & Sri Kamlesh Tulasyayan, Taxation Advocate were also presented. Lively discussions followed thereafter and it was ultimately recommended that the New Thrust in Democratic Decentralisation for Santhal lay in awakening the mass to come forward and actively participate in making the democratic decentralisation a reality, Let a "Ram Rajya" usher for the Santhals under the guidance of ancestrally designated administrator the 'Manjhi' in a modernised form and serve earnestly for their welfare in real terms, without hindering their traditional way of living viz. to drink 'handi', dance and be merry.

Sri S.P. J. Tulasyayan Senior Advocate and a member of Executive Committee, proposed the vote of thanks.

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NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION**

BY: Dr. N. Ashirvad*

For efficient administration of an organisation or a State, decentralisation of powers is essential. For successful administration of a republican polity, democratic decentralisation of powers is imperative. Besides many things, decentralisation of administration means "freedom to the field units of away from headquarters and near to the people".¹

According to L.D. White, vesting of much authority into the hands of the elective local bodies makes the administrative system decentralised while vesting much authority in the hands of the official of the Central Government makes it centralised. In a democratic polity its importance is very great. From political point of view, the concept is understood as giving powers to the decentralised units, and allowing these units to actually operate within a frame work of autonomy. In democracy, power belongs to people and the latter has to yield and enjoy the former for their betterment. If power is not entrusted to them and if they are not involved in the implementation of programmes which are very much connected with their welfare

* Reader, Department of Political Science & Public Administration, Nagarjuna University, Nagarjunanagar- 522 510.

* Paper presented to the Thirty-first members' Annual Conference of Indian Institute of Public Administration, New Delhi (1st November, 1987).

and betterment, such system of administration cannot be called decentralised administration and such political arrangement will not be called democratic decentralisation. The rural and urban local bodies are the democratic decentralised units. They are municipal bodies and Panchayat Raj institutions respectively in India. They are being described as "nursery of democracy" as they train citizens for participation in the union and State Governments of our country. In order to realise the said goals the makers of our constitution, through the article 40 of Indian Constitution directed the States to establish the local self-government. Subsequently after independence, the national government made an attempt to decentralise the powers and thus involve the people in the nation building process.

1. From Balwantrai Mehta Committee to Ashoka Mehta Committee

The formal inauguration of democratic decentralization took place when PRI was launched in the country by 1959, with the recommendation of Balwantrai Mehta Committee. This Committee argued that there should be administrative decentralization for effective implementation of development programmes and that the decentralised administrative system should be under the control of elected bodies since development is impossible of achievement without responsibility and power. With this objective it recommended early establishment of statutory elective local bodies (PRI) and devolution to them of the necessary resources, powers and authority. But what is the fate of these institutions to-day? Are they given adequate finance and opportunities to take up development programme connected to rural India? An emphatic 'Yes' cannot be given as an answer to the said question. Structural and operational analysis of the PRI as established as per the recommendations of Balwantrai Mehta Committee report reveals several lacuna in it. Mention of few reasons of the failure of PRI may not be out of context here. They are (i) They have no adequate resources to

carry on works assigned to them² (ii) the new leadership that emerged mostly from rural areas having tasted the powers at the state level was reluctant to share the new found power with the institutions at district and village levels.³ (iii) development programmes were being kept out of their orbits (iv) officials come from middle and above middle classes and belonging to upper castes who dominate the PRI have no sympathy for the upliftment of weaker sections. To sum up a 'combination of bureaucracy, commercial interests, the professional middle class (upper, caste), the police and the political elite 'ganged up' against democratic decentralization'⁴.

After the emergency, when Janata Party came to power at the centre (1977) to fulfil its electioneering pledge given to the people, it wanted to revitalise PRIs by means of genuine democratic decentralization. Therefore, it has appointed a Committee under the Chairmanship of Ashoka Mehta. Which made certain revolutionary recommendations.

The Ashoka Mehta Committee thought that the activities of the PRI were insignificant; their resources were weak and attention to their needs niggardly. However it was of the opinion that the PRI as a whole is not a failure. The problem was that the latter were not given opportunities to undertake development work. Where they were entrusted with development work as in Maharashtra and Gujarat, they have done well. The Ashoka Mehta Committee therefore recommended that for effective functioning of PRI, there should be genuine decentralization at all levels. That is, the PRIs should be the primary agency for the management for rural development programmes. The State Government should concern itself with Co-ordination and supervision. The main thrust of its recommendation was that instead of a threetier system, it suggested a two-tier system of Panchayati Raj.

It is against this background that the Andhra Pradesh Mandala Praja Parishads, Zilla Praja Parishads and Zilla Pranalika, Abhivrudhi Mandals Act 1986 was brought out by the Telugu Desam Government (the first non-congress government) of Andhra Pradesh, with an object to reorganise the existing PRIs. It also, repealed the A.P. Panchayat Samithis and Zilla Parishads Act of 1959, provides for the constitution of 1,104 mandals in the place of the 322 Panchayat Samithis, constitution of Zilla Praja Parishads and Zilla Pranalika Abhivrudhi Mandala (in January 1987, by an amendment, the name was changed into Zilla Pranalika Sameeksha Mandal (District Planning and Review Board). The decision to bring out of a legislation constituting MPPs and ZPPs was taken on the basis of the recommendations of a cabinet Sub-Committee which considered the suggestions of the Ashoka Mehta Committee. The latter recommended Mandal set-up in order to bring the P.R. and administration closer to the people.

The Bill was introduced in the State Legislative Assembly on 23rd July 1986. The Bill was published in a Gazatte extra-ordinary on 23rd July 1986 and was brought into force with effect from 29th July 1986. The object of this paper is to facilitate a brief discussion on how the said Act is able to make PRIs for democracy and how the latter percolates to the small villages and also an attempt was made to give an account of how the Act helped to take the administration closer to the common man of a village.

2. New thrust on Democratic Decentralisation of A.P.

The MPP, ZPP and ZPSM Act led to a four-tier set-up in the P.R. administration in the place of Three-tier of the immediate past system. Panchayat Samithis which was playing a key role in performing multifarious functions of PRIs was replaced by Mandala Panchayat. Block/Taluk was split into two or three and each new unit was named as mandal. The TDP Government also reorganised even revenue administration of the state. It has abolished revenue taluks and revenue firkag on 11th January, 1984, by an ordinance.

Their number was 305 and 1080 respectively. Physical size of a mandal panchayat and revenue mandal was made identical.

In response to the long-standing demand of democratic movement the government has abolished the hereditary part-time village Officer system on January 6th, 1984. It is being understood, that these village officers used to subserve the interests of the affluent in the villages. It is estimated that 37,592 posts of Village Officers were abolished.⁵ They were replaced by full-time employees who will look-after their work for a group of villages.⁶

(i) To take the administration closer to the people

The said changes were brought out by TDP Government both in PRIs and revenue administration with a view to involve people more closely in development activities and also to provide effective delivery system for various welfare measures of the state and Central Government at lowest spatial levels.

To-day for every revenue mandal, there is one Mandal Revenue Officer (MRO). He is in-charge of revenue administration. His status is with that of the rank of a Tahasildar/Deputy Tahasildar. He has magisterial powers besides other powers and responsibilities, that used to be enjoyed by the erstwhile Tahasildar. He is being assisted by staff of mandal revenue office. As a mandal is relatively small in area (compared to Taluk and Panchayat Samithi of earlier system), it will help a lot in attaining administrative efficiency and securing public convenience. In the past system, the headquarters of Panchayati Samithi used to be one place, and the head office of Co-operative Society in another village and Taluk Office in some other town. Villagers used to get exhausted and thereby undergo a lot of inconveniences by roaming to distant and different places of a Block/Taluk to get their work done. Under the new arrangement, a citizen of a mandal need not go to distant places to obtain the services from the state. For, mandal headquarters will have all offices such as Office of Co-operative Society, Police Station,

Primary Health Centre, Junior College and etc. Apart from the said offices, there will be agricultural office to meet the requirements of ryots, office of small scale industry, sub-treasury, registrar Office and other branches of government departments will be available in mandal headquarters. Officials will be within the reach of common man. The said offices should perform their functions quickly, having known the needs and urgency of an each issues.⁷

(ii) Democracy percolates to the Village

In India, democracy, is considered merely at National and State levels, conveniently overlooking democracy at grassroots level. Attitude of this nature, will result adversely the successful working of democracy of a country. With a purpose to make democracy percolate even to the small village, the Act under discussion provides the following provisions.

(A) There will an electoral roll for every Zilla Praja Parishad and the usual conditions are prescribed for registration as a voter in an electoral roll. The important qualifications are that a person should be 18 years of age and should ordinarily be resident in the districts. A candidate, on the otherhand, should be 25 years of age.

(B) For the first time a provision has been made for the direct election to the posts of Chairman of ZPPs. Similarly there will be direct election for the posts of Presidents of Mandals (direct election to post sarpanch of village Panchayat which was provided in the earlier Act, was continued in the present Act also).

(C) The Act provides for an anti-defection clause which would prevent horse-trading.

(D) For the first time in India seats are reserved for the backward (20%) and Woman (9%) in political institutions.

(E) One representative of minorities, linguistic or religions will be elected to the mandals and ZPPs.

(F) Elections would be held on party basis. This would be the first instance in the country where elections would be fought on political party symbols (this provision is not applicable to the elections of village panchayats) in the Panchayat Raj System.⁸

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THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

By

H.R. Bangia*
Life Member
IIPA

Most persons think that a State in order to be happy ought to be large; but even if they are right, they have no idea of what is a large and what a small state ... To the size of States there is a limit, as there is to other things, plants, animals, implements; for none of these retain their natural power when they are too large or too small, but they either wholly lose their nature or are spoiled (ARISTOTLE, 322 B.C.).

2. Similarly, it is not the question of how big is the subject to deal with in this Conference. We have, therefore, to be objective in our approach and plan our programmes accordingly to derive more subjective elements. It is an admitted fact that we in India talk more about the decentralisation. When Banks were not decentralised, we were happy to have good service than is the position at present. At the outset we have, therefore, to think in terms of the applicability of the subject with reference to the situations, positions and set of people around us who are to govern the projects/programmes and how best they can delegate authority to the lower rungs of the people in society to govern and implement these programmes! All this depends upon the background of the planners/administrators; their aptitude; their approach; their concern; their capacity to absorb and disseminate; their status in society; their relationship with the masses; and their integrity and morale to carry on the tasks assigned to them. The society has therefore a vital role to play

* H.R. Bangia, Asstt. Admn. Officer, NIPCCD Regional Centre, B-113 Nirala Nagar, Lucknow-226020 (U.P.).

to accept the planner or otherwise in their programmes. The concept of decentralisation could not overcome the severe stratification of rural society and fragmented and factional regional and local politics. Moreover, links between the village and the rest of the world are too strong to be wished away and the influence of the outside world has proved to be overpowering. In fact the approach to decentralisation was purely administrative to take decisions in order to ensure better identification of area specific projects, and proper coordination of economic activities. Another approach is to concentrate more on the development of the rural people.

3. International Bank for Reconstruction and Development (IBRD) in its 1984 report on "Decentralisation in Developing Countries (based on a review of Recent experiment) has observed that decentralisation is not a "quick-fix" for the administrative, political or economic problems of developing countries. Its application does not automatically overcome shortages of skilled personnel; in fact, initially it creates greater demand. Its application does not of itself, guarantee that large amounts of resources will be generated at the local level. Initially, decentralisation may be more costly, simply because it encourages more groups, communities, and levels of administration to undertake development activities. As with all managerial activities, the more successful decentralisation efforts are those that are thoroughly prepared and carefully implemented. Assessments of the more successful ventures lead to the following operational principles. These, it must be noted, are based on hypothesis that remain to be tested by planners of both developing countries and international assistance agencies:-

1. Plan small, expand incrementally
2. Plan for the long term
3. Plan tutorially
4. Plan for donor involvement, but at the same time the gradual phase-out of donor activities

5. Plan for training
6. Plan on a "grant" basis.

4. Decentralisation must be viewed more realistically, however, not as a general solution to all of the problems of underdevelopment, but rather as one of a range of administrative or organisational devices that may improve the efficiency, effectiveness and responsiveness of various levels of government under suitable conditions. Growing pressures to decentralise may be the best indicator. The concept of decentralisation is broad; its component parts are many. Definitions and classifications are, therefore, necessary. Decentralisation can be defined as the transfer of responsibility for planning, management and resource raising and allocation from the Central Government and its agencies to (a) field units of Central Govt. Ministries or agencies (b) sub-ordinate units or levels of Govt. (c) semi-autonomous public authorities; or Corporations (d) area wide, regional or functional authorities, or (e) non-governmental private or voluntary organisations (Rondinelli 1981a). It has been divided into the following four categories:-

1. Deconcentration
2. Delegation
3. Devolution
4. Privatization

5. Karnataka Chief Minister, Mr. Ram Krishna Hegde, stressed the need for decentralisation of power to check misuse of authority addressing a large gathering of people at Sitabdiara, the native place of Lok Nayak Jaya Prakash Narayan. He said that the concept of "Gram-swaraj", as visualised by Mahatama Gandhi and Jaya Prakash Narayan was the need of the hour. It should be implemented for introducing grass-root democracy in India. He said that it was due to following Jaya Prakash Narayan's ideals that he had succeeded in carrying on a people's government in Karnataka (Times of India, Lucknow, the 13th October, 1987).

6. New thrust in democratic decentralisation, therefore, is to explore the latest techniques based on practical approach to bring administrative reforms in India so that the methods of planning may correspond with the needs of the masses of our people. Public Administration has, therefore, a vital role to develop such qualities, competence, efficiency and above all integrity so that the programmes actually meant for the people who are poor and needy are able to be benefitted without any outside influence or interference. Number of States like Andhra Pradesh, Himachal Pradesh, Maharashtra, Manipur, Punjab, Tamil Nadu, Uttar Pradesh, West Bengal and Union territories like Delhi, Goa, Daman and Diu and Pondicherry have evolved certain methods of their own to deal with the matters of their States in their own ways. Some committees, task groups, commissions, work study units, Administrative Enquiry Committees, Extension of Central Enactments have been formed in their own way - all of course meant to streamline the administrative infrastructure for effective implementation of the policies, programmes etc. Number of recommendations made have also been accepted for implementation. In this connection it may be noted that no programme can be successful unless it involves public in the programmes, unless the grass-root level workers are involved, unless there is a team-work, unless they are dedicated, diligent and unless there is no corrupt practice involved. It is, therefore, high time that voluntary organisations are involved in these programmes. The efforts of these organisations should be to chalk out the programmes; identify the right persons for implementation and to maintain the trends and finally to evaluate programmes for follow up accordingly.

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NEW THRUST IN DEMOCRATIC DECENTRALIZATION

By

Sibranjan Chatterjee,
Assistant Professor of Political
Science,
Chandernagore Govt. College
and
Honorary Joint Secretary,
Indian Institute of Public
Administration,
West Bengal Regional Branch.

The centralized state is a menace to democracy. The limits to centralization have already been reached and we are getting diminishing returns from centralization. Decentralization is intrinsic to democracy.

Decentralization: a universal problem

The problem of decentralization has been at the core of political philosophy and constitutional study throughout man's history of ideas. It is at present a living concern - social and political - in our country and in many other parts of the world, both developed and developing. It has been commonly accepted that psychologically, if not always institutionally, decentralization provides the necessary avenue to the individual citizen and the community for their genuine and maximum self-expression as well as contribution to the social good. Decentralization is thought of as a means to spiritual enrichment and growth of the individual both as worker and citizen. It offers opportunity to participate in decision-making. For an individual, it is an aid to the growth and development of personality. It has also an instrumental value as a means to improving performance of organizations. Public Administration is related to the operational

aspects of government. The operations are better done through decentralization which provides access to local information and data and creates conditions for local popular support to administrative actions.¹

Terminological confusion: Confusion with delegation

Although the desire for decentralization appears to be almost universal, the concept does not evoke the same unanimity as regards its meaning and scope. To an economist, decentralization means dispersal of industries. To a local government expert, it implies devolution of functions and responsibilities to small territorial units. To an administrator at the Centre, it means discretion for field or regional offices or delegation of responsibility within the same hierarchy. To a business organization, it denotes the necessity of starting some new administrative branches in certain areas. All these interpretations lead us to terminological confusion and hardly present a full view of decentralization.

The word "decentralization" is often confused with delegation. Delegation is merely a technique of administration or management, while decentralization deals with deep urgencies of democracy. The former is not a transfer of authority. It is simply an assignment of authority to a lower body by a higher level of government. The concept of decentralization is much wider and deeper. It is a process of democratisation of political power and thereby aims at achieving democratic values in practice. It strives to widen the area of people's participation in decision-making through the transfer of specific powers to the popularly elected representative institutions at the bottom.

The system of local self-government not a new concept in Hindustan

The system of local administration through popular bodies, generally called the panchayats or sanghas, is not altogether new in India. It has its origin in the very ancient times. While

tracing the origin of this system in our country, Shriman Narayan writes: "It is believed that the system was first introduced by King Prithu while colonising the doab between the Ganga and the Jamuna. In the Manusmriti and the Shanti Parva of the Mahabharata there are many references to the existence of gramsanghas or rural communities. A description of these rural communities is also found in the Arthashastra of Kautilya who lived in 400 B.C. In the Ramayana of Valmiki we read about the Ganapada, which was perhaps a kind of federation of village republics. An account of the village commonwealths during the seventeenth century is found in Sukracharya's Nitisara. In fact, the village in India has been looked upon as the basic unit of administration since the earliest Vedic times ...".²

The antecedents of democratic decentralization, as the term is now understood, may be traced to the system of rural local self-government as evolved during the British regime. The British Government adopted the policy of carrying on local government administration through the officials of different departments of provincial governments posted at the district level. The District Collector was made the real ruler of the district government. An institution known as the District Board was set up under the control of the Collector to deal with the affairs of rural administration. The District Board was nothing more than a part of the district administration. It was subject to the excessive control of the provincial government, and the District Collector actually exercised this controlling power as the representative of the provincial government.

Democratic Decentralization: the corner-stone of our Republic
- reference to the Constituent Assembly Debates

After Independence, there was good deal of thinking on decentralization. The term "democratic decentralization" became the key item in the election manifestoes of all the political parties.³ The idea was incorporated into the list of the Directive Principles of State Policy. It should be noted that in Part IV,

which dealt with the Directive Principles of State Policy, of the Draft Constitution of India, there was no reference to the village panchayats. K.Santhanam moved a motion proposing the insertion of a new Article in the Constitution, i.e. Article 31A of the Draft Constitution. The motion was unanimously accepted by the Constituent Assembly. Article 31A stated: "The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government". While moving the motion, Santhanam said: The entire structure of self-government, of independence in this country should be based on organised village community life ..."⁴ T.Prakasam, another member of the Constituent Assembly, said somewhat emotionally: "When we fill the whole country with these organisations [village panchayats],... there will be no food famines; there will be no cloth famine ... These village republics will put a stop to black-marketing in a most wonderful manner. These village republics, if properly worked and organised on the basis of self-sufficiency, ... would put a stop to inflation also which the Government has not been able even to checkmate to any appreciable extent. This village organization will establish peace in our country".⁵ Article 31A of the Draft Constitution was renumbered as Article 40 of the Constitution of India.

Experience of CD Programme

In 1952 the community development programme was launched. The aim of this programme was to assist each village to carry out an integrated plan, viz., increasing agricultural production, improving village craft and industries, organizing new ones and providing minimum essential health services. This programme went on for about seven years, broadly covering the entire rural India through community development blocks. Although this programme provided certain basic common facilities to the rural people and created some sort of "development consciousness" among them, it

ultimately failed to evoke popular interest and initiative. By and large, the whole programme was piloted by the officials who, instead of serving the community as consultants and experts, assumed the role of decision-makers. The common people, on the other hand, were involved in the programme as beneficiaries rather than as participants in the decision-making process. Another defect of the community development approach was that it thought of the community as a whole without realising that it was broken up into various social and economic stratifications.⁶ It was, therefore, realised that local interest and initiative would not be forthcoming unless there were representative institutions at the bottom invested with adequate power and finance.

Panchayati raj: a revolutionary step

On the basis of the recommendation of Balwantrai Mehta Committee in 1957, the community development programme was replaced by the three-tier panchayati raj institutions in a majority of States. As Gandhiji emphasized again and again: "Independence must begin at the bottom. Thus every village will be a republic or panchayat having full powers. It follows, therefore, that every village has to be self-sustained and capable of managing its affairs even to the extent of defending itself against the whole world".⁷ Similar hopes were expressed by Jawaharlal Nehru when he said: "The petty rulers and jagirdars have gone out of our national life, and, therefore, the caste distinction amongst us should also disappear ... Nobody should consider himself superior to others ... In our panchayats, everybody should be considered equal, whether he is a man or woman, high or low ..."⁸ Nehru went to the extent of calling this system a revolutionary step.⁹ Although the organizational structure varies, to a certain extent, from State to State, nevertheless, there is similarity regarding the fundamental principles of panchayati raj.

Experience of the working of the panchayati raj: reinforcing the traditional power structure in the rural areas

Our experience of the functioning of the panchayati institutions for about the last three decades does not seem to be satisfactory.

Instead of being the people's programme with the government's assistance, the panchayati raj has been increasingly the government's programme with little of people's participation. Almost all the recent studies have confirmed that the panchayati raj reinforced the traditional power structure in the villages and stood in the way of the emergence of a new rural leadership. Two such case studies may be referred to here. In a survey (1978-79) covering more than 90 percent of the panchayat institutions in Burdwan District of West Bengal, it has been found that higher castes dominate the scene - 68 per cent at the panchayat level, 84 per cent at the block level and 88 per cent at the district level. In terms of annual income, those earning Rs. 1.00 to Rs. 1,500 per month are on the top in the Gram Panchayat and Panchayat Samiti, 68.60 per cent and 64.72 per cent respectively. Owing to poor response, a similar income analysis could not be made at the Zila Parishad level. It has also been revealed that the rich farmers have a preponderance at the block and district levels.¹⁰ Another sample survey, conducted at Jhunjhunu District of Rajasthan and covering all its panchayat institutions, confirms the same trend. Castewise analysis indicates a clear domination by the higher castes, such as, Brahmin, Rajput and Jat at all levels - 66.67 per cent at the panchayat level, 83.78 percent at the block level, and 85.71 per cent at the district level. The panchayat leaders of the said district are drawn from high and middle income groups.¹¹

According to the Dantawala Committee on Block Level Planning, the panchayati raj has always reflected class bias. It has observed: "Our (second) reservation about the role of the panchayati raj institutions in the formulation of micro-level plans arises from a widely shared view that the weaker sections of the rural community do not feel that their interests will be fully protected under the panchayati raj institutions. A stronger version of this feeling is that the leadership of the panchayati raj institutions acts as a 'gate-keeper' and prevents the flow of benefits for the weaker

sections of the rural community. This is hardly surprising in the given context of the inegalitarian structure of the rural economy. Unless and until adequate safeguards are provided against the likelihood of the dominance of the panchayati raj institutions by the vested interests, giving them a decisive voice in the preparation of micro-level or grassroot plans, one of its major objectives, namely, removal of poverty, exploitation and unemployment will not have much chance of being realised."¹² The Dantwala Committee has further observed that the public is not a harmonious entity. In reality it comprises groups with conflicting interests. The dominant class in the rural area is generally the landed elite. Hence, association of the public with any development programme implies, in reality, the association of the dominant elite.¹³ The Asoka Mehta Committee has too pointed out that owing to the dominance over panchayati raj institutions of economically or socially privileged sections of society, the weaker sections are hardly getting any genuine benefit.¹⁴ The possibility of the adjustment of vested interests between a powerful section of the panchayat leadership and a section of bureaucrats at the lower level cannot be overruled. Thus, the panchayati raj institutions have not succeeded in sapping the essential character of traditional leadership in our rural areas. As in the past, the rural poor continue to look upon these institutions with apathy.

Lack of self-reliance in financial resources

Self-reliance in resources, if not wholly but considerably, is a basic condition for the success of democratic decentralization. The panchayat institutions mostly suffer from the paucity of funds and are excessively dependent upon the State Government for financial assistance. This is true in the case of municipalities also. The local government institutions in our country have very limited powers in respect of imposing taxes and cesses. They even have not been able to make full utilization of their limited taxing powers for political reasons. According to a survey, 2,926 anchal

panchayats of West Bengal never succeeded in raising more than 10 per cent of their entitlement from taxes, rates and tolls.¹⁵ Both the panchayat institutions and the municipalities are not likely to run the political risk of large-scale resource mobilization through the levy and collection of taxes. The closer the tax-levying body is to the people, the greater is perhaps the reluctance on the part of the local bodies to assess and collect taxes.

Enormous government control over local bodies

The amount of control exercised by the State Government over the local bodies including the municipalities and municipal corporations is enormous. The local bodies virtually act as the agents of the State Government. Grant-in-aid is the most effective instrument by which the local bodies are controlled by the State Government. Grant-in-aid rules curtail the autonomy of the local authorities. Since the financial condition of most of the local bodies is not sound, they surrender their autonomy considerably to the State Government. For instance, the local bodies are directed by the State Government in which bank their funds would be deposited. The surplus money, if any, ought to be invested in securities approved by the government. If a local authority desires to invest its surplus funds in any private bank or elsewhere, the prior approval of the government is mandatory.¹⁶

In a reply to a question in Rajya Sabha on August 7, 1987, Dalbir Singh, Minister of State for Urban Development, Government of India, said that as many as 1506 municipal boards and town councils and 39 municipal corporations had been superseded or dissolved in various parts of the country. Uttar Pradesh topped the list with 678 superseded or dissolved municipal boards and town councils.¹⁷ Again, the State Governments do not hesitate to amend the legislation governing the local bodies to protect the interests of the political party or a combination of parties which controls the State Government. Immediately following the elections to the Calcutta Municipal Corporation in June 1985, the promulgation

of an ordinance to amend Section 11(2) of the Calcutta Municipal Corporation Act, 1980, is a striking example. The ordinance, which was promulgated just on the eve of the Assembly session, had the effect of waiving the restriction on the Chairman of the Corporation, Councillors constituting the panel of presiding officers, and the members of the Mayor-in-Council, to be represented on the Borough Committees. Had this ordinance not been issued at that moment, most of the Borough Committees, which were vested with some specific functions and responsibilities under the new Act, would have been captured by the Congress(1). Hence, the State Government had no patience to wait till the forthcoming session of the legislature that was scheduled to commence within a week or so, nor to take the opinion of the newly elected 'city government'. This is undoubtedly derogatory to the principle of democratic decentralization.

Reference to the Asoka Mehta Committee

The Asoka Mehta Committee has enumerated some other factors responsible for undermining the role of panchayati raj: (i) Role of bureaucracy in dissociating the panchayati raj institutions from the development process. One instance may be cited. In the presence of the Divisional Commissioner and the Sub-divisional Officer of a sub-division in West Bengal, one young Deputy Magistrate(BDO) had told the author with pride that the elected members of the village panchayats did not dare sit in the chair in his presence. Whenever they visited his office, they usually talked to him while standing and with much hesitation. When asked by the author, whether this 'attitude' would not be prejudicial to the effective functioning of the elected bodies at the grassroot level, the said Deputy Magistrate preferred to remain silent. In West Bengal, during the last few years, there took place several incidents relating to the assault and physical humiliation of BDOs' in the rural areas. One reason for this unpleasant state of affairs is surely that some BDOs' have firmly resisted the attempt made by the politically motivated and economically dominant sections

in the villages to utilize the panchayat institutions to serve their narrow political and sectional interests. But, at the same time, the negative and egoistic attitude of some public servants resulting in the creation of a cleavage between the people and the Administration may also be considered another factor responsible for such incidents. (ii) Lukewarm attitude of the political elite at higher levels towards strengthening the grassroot institutions. A number of MLAs' of Calcutta told the author, with a tone of despondency, that there was hardly any need for the voters to come to them, because the Councillors of the Calcutta Municipal Corporation had been entrusted with enormous responsibilities as regards the development of their respective wards. Hence the people would henceforth go to the Councillors, rather than to the MLAs' and MPs'. This is more or less true in the case of municipalities and panchayat bodies also. Surprisingly, all these MLAs' as referred and most of the Councillors within their respective Assembly Constituencies belong to the same political party, and (iii) Lack of conceptual clarity about panchayati raj.¹⁸

Administrative Reforms Commission on Panchayati Raj

The Study Team on State Level Administration constituted by the Administrative Reforms Commission observed: "The role of Panchayati Raj Institutions has not been quite satisfactory in some of the States where they have been set up ... The Panchayati Raj institutions have made no effective impact on agricultural development. They are said to be in constant clash with officials for sharing of power and are indifferent to non-attractive areas of work like the organisation of community efforts. It is said that they are more busy bringing pressure for sanctions of loans, grants and subsidies and actively participating in their distribution".¹⁹ The Study Team, which prepared its report, on the basis of extensive field surveys and research studies, further noted: "The Panchayats, Samities and Zila Parishads with many financial

and administrative controls have often become hot-beds of political machinations and intrigues instead of being instruments of local administration. This has caused serious stresses and strains on administration resulting in the dissipation and dissolution of effective authority in the rural areas."²⁰

Search for an alternative approach

Local government institutions are the foundation of our democratic republic. With the weakening of these institutions, our democratic republic is also being simultaneously weakened. Mahatma Gandhi gave serious attention to the concept of decentralization. It is high time that Gandhiji's views on this particular subject should be thoroughly studied at the academic as well as at the political level. It may not be possible in this Paper to make an in-depth study of Gandhiji's approach to decentralization. Briefly stated, Gandhi repeatedly laid emphasis upon a healthy relationship between the city and the village. He said: "If the village perishes, India will perish too."²¹ In another context he said: "Exploitation of villages is itself organised violence. If we want swaraj to be built on non-violence, we will have to give the villages their proper place".²² If the city develops at the cost of the village, decentralized political institutions working in the countryside will be empty shells. Secondly, Gandhiji emphasized upon the development of self-sufficient villages. A village is to be self-sufficient in the matter of basic needs - food, clothing and shelter. Moreover, a village will have its own water-works for clean water supply. It must also have a playground, a theatre, school and public hall. Thus, Gandhiji's theory of self-contained village also envisages the cultural enrichment of rural life. But this does not connote a closed village community. Gandhiji spelled out in clear words: "Only an arrogant man will claim to be independent of everybody else and be self-contained."²³ A particular village will get from outside the village what it cannot produce in its own area. It was suggested that the neighbouring villages

forming a cluster would be grouped for achieving the target of self-sufficiency in certain basic productive items. Economic viability should be the supreme consideration in the grouping of villages. Thirdly, Gandhiji's village is not an exclusively agricultural community. Rather, it would be an agro-industrial community. The village government will have to exercise such functions as can ensure the growth of an agro-industrial community. Fourthly, the elected panchayat, according to Gandhi, will exercise not only executive, but legislative and judicial functions too. It has also an important role in building up the economic foundation of democracy in the village. The government of the village will be conducted by the panchayat of five persons elected annually by the adult villagers, male and female, possessing minimum prescribed qualifications. Gandhiji laid particular stress upon the development of close contact between the people and their representatives. For this purpose, he gave some concrete proposals regarding the optimum size of a village. Today in the context of the rapidly increasing population and the large-sized constituency, the gap between the common people and their representatives is rapidly widening. This is true not alone in the case of legislatures, but also in the case of municipalities and panchayat institutions. Fifthly, Gandhi rejected the pyramidal structure of polity. He presented a federal form of decentralization which provides different levels of autonomous units with the individual at the centre. He was against the higher or lower levels of power structure. The autonomous units at different levels are organically linked together by the principle of integration which Gandhi called "an oceanic circle". In the words of Gandhi: "In this structure composed of innumerable villages there will be ever-widening, never ascending circles. Life will not be a pyramid with the apex sustained by the bottom. But it will be an oceanic circle whose centre will be the individual always ready to perish for the village, the latter ready to perish for the circle of villages, till at last, the whole becomes one life composed of individuals, never aggressive in their

arrogance but ever humble sharing the majesty of the oceanic circle of which they are integral units. Therefore, the outermost circumference will not wield power to crush the inner circle but give strength to all within and derive its own from the centre".²⁴ This is the only approach which can make the present controversy between centralization and decentralization irrelevant. Sixthly, reference may be made to Gandhi's view of individual. Gandhi's individual stands for service to the community. His 'individual' is never aggressive in his arrogance for self and power. Finally, it should be noted that decentralization was not an end in itself, to Gandhi. He conceived an ideal society as one which would ensure freedom and happiness to individuals. Such a society would be based on two fundamental values: swaraj and non-violence. But these basic ideals, as Gandhi stressed repeatedly, could not be translated into reality in the absence of decentralization of the political system.

Gandhi's approach is neither utopian nor revivalistic, as is held in certain intellectual quarters. Gandhi was not a theoretician, but a hard realist, having a close link with the people. His views are the product of his close observation of the society and people of India and elsewhere. At the same time, it should be acknowledged, society is fast changing. The objective social conditions have, to a certain extent, altered with the change of time. Hence, there is nothing wrong if the Gandhian ideas are adapted to the altered circumstances just as Marx was adapted to varying historical and geo-political contexts. For this, an objective appraisal and thorough research of Gandhi's thought is essential.

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The Panchayati Raj System

The Experience and the Experiment: New Thrust

By: Dr. V.P. Deo, Pune

The Panchayati Raj Institutions in India are an innovation based on Ancient Indian Institutions and Gandhian ideology. The ideals of the Muslim and the British rulers in India, particularly of Akbar and Lord Rippon¹ must be acknowledged in this respect.

The constitution-makers thought it important to strengthen the authority of the Centre but also to undertake the growth of Local-Self-Government.² Therefore, the Village-Panchayats, they thought, was the integral part of the political framework.

The dynamic leadership of Pandit Nehru, however, was largely responsible for the emergence of the system. According to Nehru, the launching of the Panchayati Raj Institutions would have been "the most revolutionary and historical step in the context of new India".³ Nehru was enthusiastic about the system for he rightly thought that - "Democracy is not merely the Parliament at the top or in the

states but something that excites every person and something that trains everyone to take his proper place".⁴

The Experiment

After the country's independence and after the launching of the constitution was ushered in the Community Development Programme for some select-Project Areas.⁵ The programme, one can observe, was not a tremendous success. However, it prompted the authorities to extend it to the National-Extension-Service Blocks⁶ for the country. Encouraged further, the Government of India, appointed in 1957, the Balvantray Meheta Study Team for "the assessment of the extent to which the movement has succeeded in utilising local initiatives and in creating institutions to ensure continuity in the process of improving economic and social conditions in rural areas."⁷ In addition to this, the Team was to study the pattern of the then existing District Administration and suggest recommendations.⁸

The Study-Team took the District to be the ideal unit for the process of administrative and political decentralization in the country. The main objectives of the decentralization were:

- a) Administration of Planned Programmes,
- b) A deep rooted patronage into the country's rural areas,
- c) Simplification of the complex electoral system, and
- d) Shifts and changes in the social base of politics.

The substance of the above mentioned objectives as understood in the country and put forth by the leaders was that the P.R. system was to provide the essential base for democracy and to mobilise the people for economic development. Thus economic development, Democratic decentralization were the main objectives of the Panchayati Raj.

But as Ashok Meheta Committee reported, "some would treat it just as an administrative agency, others as an extension of democracy at the grassroot level and still others as a charter of local government".⁹ It would not be fair to treat the Panchayati Raj system in such a casual way. Its basic objectives of Democratic Decentralization and economic development cannot be undermined.

Started from Rajasthan and Andhra Pradesh round 1959, and introduced later by other states, the system seem to have passed through four distinct phases.

The Panchayati Raj system was welcomed as "One of the most imaginative institutional innovation made by the national leadership".¹⁰ This led to the phase of ascendancy (1959-1964). Then there was stagnation since the system was not given, by the states, the required philip. The newness of the system was gone and its decline became sure. Unfortunately the period of decline of the P.R. was longer than ascendancy and stagnation.

The fourth phase of revival of the Panchayati Raj started only in 1983 when Karnataka Government, led by the Janta party decided to keep the promise it had given to the people - 'power to people'.¹¹ Rajiv Gandhi in his different speeches has shown his inclination to revitalise the Panchayati Raj Institutions. But one does not find any articulation of strong political will in the speeches of the country's highest leader. This is mainly because the party which is led by the Prime Minister lacks that will.

The Merits and the Demerits

The much discussed merits of the Panchayati Raj are -

- it is the sole essential base for democracy and for mobilising the people for economic development
- it provides the best practical training school in leadership
- it gives direct participation to the people in administration.
- it seeks to fulfil the essential gap between Centre and States
- it keeps power away from absolute power to prevent corruption
- the panchayati raj provides better chance for closer supervision over the public affairs it helps percolate democratic principles from the top to bottom
- some of the drawbacks of the centralised administration, e.g. red-tapism, inefficiency and indifference

- are easily removed by the Panchayati raj institutions
- the village leadership is the best judge of the village-needs and can extend more realistic plans through the P.R. system
- the system makes the villages the most beneficiary for they get an opportunity to mobilise their resources
- in an agrarian society like ours, the P.R. system provides the base of our economic planning
- the Panchayati raj system is expected to provide an apparatus for organising small industries.

Unlike the merits, the demerits of the Panchayati Raj are based on practical considerations rather than on conceptual and philosophical background. They are -

- Decentralization of power is also decentralization of corruption, bribery and nepotism.
- Panchayati Raj distributes power among the Upper caste and class-people and the weaker sections of the people are exploited.
- The facilities of the P.R. Institutions are often enjoyed by the Upper Class people.
- The P.R. system does not promote stability
- It was, perhaps successful in the past, but is a great failure under the changed conditions.
- The system may give responsibility to the ignorant and illiterate who cannot discharge responsibilities.

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- The P.R. system does not promote stability
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- The system may give responsibility to the ignorant and illiterate who cannot discharge responsibilities.

- Panchayati Raj system is not an essential pre-condition of democracy as is proved by the examples of U.K. and U.S.A.
- Indian society had caste Panchayats that lived for centuries. Therefore the same society is not suited to the politico-administrative panchayats.
- The present P.R. Institutions have executive functions without any legislative apparatus.
- The present P.R. system has failed to encourage voluntary involvement in the development plans. Therefore, to get more money from the State Governments' is their sole problem.
- In modern process of industrialization, the P.R. Institutions have no much scope.
- It increases the gulf between the urban and rural.

Thus the conceptual merits and practical operational demerits of the Panchayati Raj Institutions in the country led to their stagnation.

There are two views about the operational aspect of the Panchayati Raj. One, Panchayati Raj is a God that failed¹² and the other that the conceptually sound institutions of the Panchayati Raj have not been hailed wholeheartedly by the States. Both the views are rejectable, for the system has some achievements. Politically, it has taken the democratic process to the villages and

made the people conscious of their rights. Administratively, it brought the common man nearer the bureaucrats which was never so before. From the view point of economic development, it made people conscious to the extent that they feel about it. The system has brought about some socio-cultural change that effected into new leadership which is in favour of modernity and socio-economic change.

However, it must be admitted that the basic goals of the P.R. institutions are far away from achievement. Is it the failure of the system or of the persons responsible to work it? Answer to this question will make it clear whether the P.R. system should be replaced by some other alternative. The different committees appointed by the national and state governments for the review of the P.R. Institutions seem to support revival of the system and not abondening it. If the common people are taken into consideration, it could be found that they want the P.R. to function for its two basic purposes of Democratic decentralization and economic development.

Revision, Revival and Revitalization

If a system does not work according to the functions it has to perform then either the system must be changed or the functions be revised. This is applicable to the Panchayati Raj Institutions. Unfortunately it has happened in our country that the economic functions of the Zilla

Parishads are performed by the various Anti-Poverty-Programmes launched by the Central and the State Governments. This left the P.R. Institutions idle. Above all, it curbed the principle and objective of planning from below. Suspension of Panchayati-Raj elections by different states further curbed the objective of Democratic Decentralization. Thus both the objectives of the P.R. system are on suspension.

Revival Justified

The revival and revitalization of the Panchayati Raj Institutions depends first, on our commitment to Panchayati Raj. If there is no doubt about Panchayati Raj as the foundation of our democracy, there should not be any doubt about our commitment to the value of Panchayati Raj. Secondly, reviving and revitalizing the P.R. system is also reconstructing the Indian polity. The process of reconstruction of our polity depends upon decentralization of power from Centre to the States and from States to the urban and rural governments. For this, necessary constitutional provisions could be made, if necessary so that these basic institutions are not superseded either by political leaders or bureaucrats. The present shift of planning and development activities from Zilla Parishad to the District Collectorate must be restored. Certain remedies could be thought of in order to revive the P.R. Institutions.

- (i) Zila Prrishads must be given sufficient finance
- (ii) Predominance of District Collector should be removed
- (iii) The Panchayati Raj Institutions should be revised to be placed as government next to the State Government in order to create proper three tier Democratic Polity in the country.

Karnataka has set the ball rolling. It can be hoped that other states will not lag behind. The need for the revision, revival and revitalisation of the Panchayati Raj could be realised in the words of Abdul Nazir :

"I strongly feel that the single major cause for our victory was our slogan 'Power to the People'.
I may emphasise there that we believed in the creation of a state which rests on four pillars : Village, District, State and Centre. You may recall that the four-pillar state was the desire of the father of the Nation. And we set out to implement it earnestly.
The P.R. should not remain a play-thing of politicians and bureaucrats". ¹³

Karnataka wishes not only to revive but to go beyond the original Panchayati Raj system. Time alone will prove whether Karnataka is followed by rest of the States. One thing is sure that the remaining States will not be in a position to suspend the Zila Parishad elections.

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New Thrusts In Democratic Decentralisation

BY: T.N. Dhar
Hony. Secretary
IIPA, U.P. Regional Branch
Lucknow.

1. Planning Process

The process of planning broadly signifies the achievement of predetermined social and economic goals in both spatial and temporal contexts. It involves the employing of various resources in terms of men, money, materials, organizations and technologies in the most efficient manner so as to obtain maximum results at minimum costs. The essential aims are economic growth with social justice, maximizing of work opportunities, self reliance, enhancing of incomes, removing regional and class disparities, bringing up the very poor to above-poverty levels of living and, in sum, to improve the quality of life for the nation as a whole. Resources are the means, but the true test of development planning lies in how much human satisfaction is provided and to what extent the genuine aspirations of people are met.

2. Planning And the Roots Of Tradition

Planning in effect is a transforming as well as a modernizing process. When we speak of modernization it does not mean cutting at our cultural roots or identity. Transformation implies change with continuity. Our country has a very long history. It has developed time-tested values which have enduring validity. Its traditions are rich and varied. In this heritage there has been considerable accretion of

negativities like illiteracy, superstition, caste-based exploitation, severe economic disparities, pessimistic attitudes towards life and exogenous dependability. Through development planning peoples' attitudes have to be changed but each change must flow along our cultural psyche and cultural roots. All that is good in our tradition and value system must be retained while modernizing the society. It has to be a synthesis. This needs involvement of people in the largest possible measure. This needs the bringing of planning process nearer to the grass roots level. This needs peoples' acceptance of and faith in the process.

3. The Centralization - Decentralization Dilemma

By its very nature planning tends towards some form of centralization. Here we have to be very cautious in distinguishing between national or state - level planning on the one hand and local - level planning on the other. For the country as a whole there will have to be macro - planning with a view to determining broadly the over-all direction and thrust of development. This direction is based on the value choices made by the society through its dominant political institutions. But, once the macro-level objectives are decided upon, the large size and regional diversities of the country suggest strongly that within the broad framework of national goals different paths and strategies will have to be evolved for tailoring the planning process to local conditions and local needs. Uniform prescriptions will not do.

4. Political Decentralization

Decentralization has to be understood in its many contexts. For example, democratic decentralization implies the sharing of political power with lower level institutions e.g. zila parishads, municipal bodies, block samities, gram panchayats etc. It is a political process. Our Constitution spells it as a directive principle of the state policy. As an objective it is considered

unexceptionable by all shades of opinion. Soon after independence the enthused ethos of political freedom gave a fillip to this aspect of social and political development. The Community Development Programme was launched with deep faith and high hopes. Yet, somewhere along the way, the elan was lost. The orientation of our political culture become adhoc, coercive and distrustful. The political system moved towards more and more of centralization and the institutions that were intended to assume responsibilities in an increasing measure not only failed to grow, they practically withered. So much so, that in many States, even elections to these bodies were, and have not been, held for a number of years. The distance between the governments and people increased. Institutions which were conceived as strong links in participative governance, which would enable people to share power for their benefit, which would train social and political leaders for higher responsibilities and which would generate broadest consensus in the formulation of policies, were debilitated and enfeebled. They lost vigour, effectiveness and relevance. They became decrepit. The goal of citizen participation in government receded. The citizens were only left with the alternative of throwing out a government through the battle of ballot once in a while. That was at best an enabling veto, a negativity. It did not permit participation to grow or thrive. Elective Politics without wide-based involvement of people and the checks and balances provided by a well-knit institutional base generates incessant and short-circuiting thirst for power and pelf which is exercised through elites, good and bad, while the common man, the poor man, and the ordinary citizen feels left out. The schism between the haves and have-nots in terms of both power and money intensifies. This gives rise to social unrest, class conflict and fall in the credibility of governments. The citizen becomes indifferent, stoical and later on, angry. Such a situation hardly bodes well for a democracy. The base of the lower and middle level political institutions has to be widened and re-informed with a firm political commitment to enable people to share power in a meaningful

and constructive way.

5. Decentralization - The Social Dimension of Participation

Decentralization has a social context too. In political decentralization power is shared in its provenance as well as in the exercising of it. But, outside the formal corridors of power, a great deal of influence and pressure is exercised through other social forces, namely, voluntary agencies, people's cooperatives, non-governmental organizations, institutions, professional bodies and public spirited people. Such agencies act as social mobilizers and strong catalysts of development and have, therefore, very important roles to play in the process of planning. Opinion varies on the value of voluntary agencies in the organizing and implementing of village/area development programmes. Some are of the view that massive anti-poverty, infractural/production programmes cannot be left to such agencies. Others believe that voluntary agencies are far more suited to become pace-setters in village/area development programmes, particularly those which are focussed towards the poorer sections of the society. They are more committed to the cause, more flexible and more free to adapt themselves to needs of the community and the social environment to which development efforts has to be addressed. No matter what the role-perception of NGOs is, there is no doubt they can play a strong innovative and catalysing role in the process of development.

In India, if removal of poverty is not to remain a mere slogan but become a revolutionizing programme, then the poor have to be mobilized and organized. As Stephen Waxler says: "Poverty will not be stopped by people who are not poor. If poverty is stopped, it will be stopped by the poor people. And poor people can stop poverty only if they work at it together. How will this collective effort by the poor come about? It will not come about unless there is mobilization, organization, education, motivation

and a basic change in attitudes and behaviour. Politics is wessentially power oriented and political organizations tend to favour the elites. The shift in focus could emerge from such forces which do not have power as their major goals. For this we need, supplementally, organizations which can generate constructive participation in revolutionary action that will transform "the previously apathetic masses, by giving them a goal and hope of achieving the goal". Such transformation means "creating men who are no longer bound by traditional customs, inhabited by ascribed authority patterns and made apathetic by lack of hope" (James S. Coleman, Race, Religion and Social Change.)

6. Administration Decentralization

Political and social decentralization has to be matched by administrative decentralization. Even if it is assumed there would be adequate political will coming forth to go ahead with decentralization of power and authority, and conceptual framework for effectively doing so becomes available, the idea would have to be transformed into concrete reality through change in laws, rules, procedures and structure of public administration. Much debate and discussion have been going on for decades as to how to bring about effective dec-entralization of administrative and financial powers in government systems. The Administrative Reforms Commission and a number of Committees (Balwant Rai Mehta, Committee, Ashok Mehta Committee, Dantawala Committee etc.) went into these problems. But what has happened so far can at best be called marginal tinkering. There has been so much talk about "administrative participation" by the community. Every Five Year Plan document has religiously advocated it. Academicians, sociologists, intellectuals and public men have supported it. Politicians have pronounced it as a prior objective of policy. Yet, in real terms, the dominant trends have been quite the reverse of what has been said and declared so often. How could administrative decentralization

and community participation have succeeded in the political environment in which power tended to move up to, and stay at higher & higher levels and institutions languished. Participatory planning will indeed need radical departures from the existing administrative mechanisms, budgetary procedures and inherited attitudes that emphasize multiple hierarchical levels and lines of command, compartmentalization and controls rather than results. The paternalism of the bureaucratic monolith will have to be transformed into the brotherhood of shared goals, shared perceptions and shared efforts. The colonial baggage has to be discarded and thrown overboard with political will (assuming it is there). A new ethos has to be generated in which there is "authentic creative participation, heightening the participant's consciousness of values, issues and the possibility of making choices, influencing the content of development, generating new ways of doing things and also safeguarding the participants' right to an equitable share in the fruits of development" (Marshall Wolfe, Elusive Development, U.N. Research Institute for Social Development, 1981).

7. Role of Voluntary Agencies

The approach Paper to the Seventh Five Year Plan prepared by the Government of India observes : "Voluntary organizations will have to be associated more closely and actively than hitherto with the programmes for reduction of poverty and with the efforts to make minimum needs available to the population for improving their quality of life. This will be incorporated as a part of the overall strategy for augmenting such programmes meant for the poor, as also as an alternative feed back and mechanism for ascertaining whether the target groups have received the benefit meant for them" (emphasis added by the author)

So much for the voluntary organisations. The quest for non-governmental catalysts is continuous. There is a role for dedicated selfless agencies which are more sensitive and responsive to the needs of the community, particularly of those who are economically and socially handicapped. They can establish better rapport with the rural poor, operate with greater flexibility and perhaps at lower costs, and quickly readjust their methods of work and operation along the path of experience. They can improvise and be "the eyes and ears of the people i.e. give reliable feedback and reach the voice of the people to the planners and policy makers". But at the same time it has to be remembered that the scale of operation of village development, community development and anti-poverty programmes is so vast that these can not be left to voluntary agencies alone whose number is small and whose organizational capacities are limited. Such experiments are welcome and can be expanded to advantage but these would remain as islands of action, innovation and stimulation which would have fine demonstrative value and radiating influence. In the final analysis it is the peoples' institutions that will have to take upon themselves the great task of social and economic transformation through self-reliant, self-regenerating and participative involvement in the development effort which will be informed by both growth and social justice. This will need a strong commitment of the governments to strengthen and refurbish such institutions and endow them with the necessary authority, resources and organizational abilities to perform their tasks and achieve their goals.

8. Role of Education

Peoples' participation as a goal is well accepted. But this goal is achievable only if there are radical transformations in the political, administrative and socio-economic structures. For such transformations the role of education can not be over-emphasized. And, here, education is to be understood in its widest meaning.

Citizens' participation depends on knowledge and understanding of issues, responsiveness in attitudes towards change, forceful articulation of the interests and needs of the community and capacity for organization. Many studies in the country have shown that a significant correlation exists between the educational status of rural people and their ability to associate, to organize themselves as pressure groups, to ventilate, their needs as a collectivity, to exercise social and political influence and to adopt new technologies. It is, therefore, necessary to expand and intensify educational efforts, both formal and informal, to enhance the capacity of the citizen to contribute better to his own good as well as to the good of the community of which he feels he is a meaningful part. Education raises the awareness of the citizen about his position in the society and in the economy in which he has to subsist. It creates an urge within him to wish for a better world. It informs him as to how to strive for and fulfil these needs in consistence with the needs of the community. As such in the field of education the essential thrusts are required to be directed towards:

- (a) Universal educational system which is related to realities of agrarian and industrial life e.g. agriculture, agro-forestry, industry, crafts, village ecology, health and sanitation, institution building, etc.,
- (b) Informal education of adults,
- (c) Training and visit programmes,
- (d) Use of media for educational purposes,

- (e) Establishment of farmer groups, voluntary associations, youth clubs, women's groups and planning forums in educational institutions,
- (f) Education of blue collar workers.

9. Role Of Media

For effective participation of citizenary in the process of planned development one of the most important requirements is to raise their "level of information". Effective participation implies better perception of problems better knowledge of possible solutions, better decision making, better implementation of programmes better evaluation of actions and consequences and, finally, quick as well as timely application of correctives. Well organized media participation can contribute a great deal in 'informing' the citizen and thereby vastly improving his ability to 'participate'. In operational terms it would mean exposure of the citizenary to radio and television programmes, lectures, newspapers, books, slides, films and filmstrips, posters and folders demonstrations, field strip, meals and exhibitions, training camps and group discussions.

10. Non-Political Institutional Participation

Apart from formal politico-administrative structures like the well recounted three tiered Panchayat Raj system and others forms of local government (which tend to be dominated by the local elites) there is need for building a "system of plural local organisations.....Outside the formalized and traditional framework" for widening the base of participation and enabling all target groups to find expression in ventilating their needs and obtaining redress. Such organizations have a countervailing effect against vested interests and need to be supported and strengthened administratively and financially. Such collecti-

ties can be voluntary organizations, farmer clubs, youth clubs, village cooperatives, planning in educational institutions, women's associations etc. These organisations can help in the equitable distribution of the benefits of development, effective participation in decision-making especially by the poor, resisting the pressures of elites, becoming independent channels of feedback for monitoring the results of development.

11. Proliferation of Development Staff at Field Levels

Since institutions of representative and social character have not grown in the required measure it is the government machinery that has had to be pressed into manning the vastly expanding delivery systems of planned development. In the process there has been tremendous proliferation of government personnel at field levels. The points of contact between citizen and the 'cutting edge' of the state instrumentality called administration have multiplied to the point of confusion and bewilderment. For example, for sinking a private tube well on his own holding a farmer in U.P. on an average, has to contact about sixteen to eighteen functionaries of government departments, banks, cooperative societies, electricity board, etc. to obtain different clearances and services. He expends about fifty to seventy working days in the effort, and one-third, or even more, of the amount sanctioned as loan and subsidy is spent by him on travel, fees and 'speed money' before the well materializes. Add to it the fact that the 'overhead' cost of the expending delivery systems has been mounting a great deal, the inevitable consequence is that the net inflow of benefits to citizens from every rupee spent on development gets diminished. In participatory decentralized systems not only the 'delivery' costs can be considerably reduced but the harassment of the citizen can be minimised and, since programmes will get implemented under closer public eye, corruption and 'leakages' can be substantially controlled.

12. Arguments For Participatory Decentralization

These could be summarized as follows:

- (a) In democracies policies and decisions must reflect the needs of the people. This requires participation by people and that is possible through the building up of decentralized institutions and administrative systems.
- (b) Centralization in a vast system is counter - productive. Policies get diluted, defused or even distorted through multi-level communication. Feedback suffers in the same manner on the return path. Mistakes become possible of correction when, often, it is too late. Responsibility can not be easily fixed for lapses. Organisations and departments bloat and proliferate. House keeping becomes prohibitively expensive. Net accrual of benefits to the community diminished.
- (c) Decentralized political and social institutions are 'natural' schools for training leaders for higher responsibilities. Participation encourage growth of leadership.
- (d) Decentralised systems are nearer to people reflect their needs and urges better.
- (e) Policies get implemented under closer public eye and, therefore, the chances of corruption, leakages and nepotism get reduced.
- (f) Fulfilment of aspirations and expectations is greater amongst the community of beneficiaries. There is a sense of involvement in the citizenary which tends to dynamise the process of development.

- (g) People's participation implies decentralization and delegation of powers and economic functions both in the democratic institutions and administrative organizations. This lends flexibility to the system which is very important in a vastly 'pluralistic society' like ours. Matching efforts of the community can be mobilized better. Flexibility ensures more optimized solutions to suit local conditions.

13. Arguments for A District Government

There has been widespread debate in the country for the establishment of district governments in the country based on appropriate constitutional provisions. At present district administration hardly finds any mention in the Indian Constitution. If a federalised polity has to be successfully developed and if government has to reach nearer to the people the case for establishing district governments as constitutional entities with adequate powers, resources and organization becomes strong. In the Indian constitutional system the relationships between the Centre and the States have remained an important issue of political debate and this political debate has become more acute as well as important in view of the increasing emergence of State Governments which are ruled by political parties different from the one that is ruling at the Centre. Appointment of the Sarkaria Commission is a clear indication of the importance of taking a fresh look at the centre State relations. This subject has become all more sensitive in the light of the growing perception of the States that the Centre is arrogating to itself greater and greater economic and financial powers in some form or the other. This argument is equally valid for relations between State Government and the Panchayat Raj institutions/Urban Local Bodies functioning

in various states of the country. The State Governments have been equally responsible for encroaching upon the powers, authority and jurisdiction of local bodies who have been denied resources, organization and Status in the political system. As Nirmal Mukerjee has put it: "The natural viable and appropriate alternative to collector raj is fullfledged district government, elected by the people and constitutionally backed. In Panchayat Raj parlance this would mean directly elected Zila Parishads spanning all of district governance, unencumbered by dyarchy and constitutionally protected from in-roads". Many political scientists favour decentralisation in this form as a historical necessity and as the very "stuff of a dynamic polity". The debate for the sharing of political and economic power at the peripheral levels of the political system and administration is on and it implies not merely administrative reforms but a fresh look at socio-political systems and the dynamics of multi-party federalism and at provisions of the Constitution which may need appropriate amendments to bring about effective decentralisation that can result in a participative management of the country. Nirmal Mukerjee has called this a "coherence model of federalism". Many other political thinkers have advocated the idea and very recently the Indian Law Institute has developed an important position paper for debate and decision on these vital issues.

Not only in the socio-political context, even in respect of the judicial system the Law Commission has strongly suggested the establishment of Nyaya Panchayats as grass-root courts in villages in order to ensure speedy, effective and cheaper justice to the people. The successful working of Lok Adalats in many States is a pointer in this direction. This is yet another effort towards decentralisation.

14. The Karnataka Experiment

In the context of the need for democratic decentralisation the Karnataka experiment has been widely mentioned and publicised in recent months. Conceptually it appears the mandate of Article 40 of the Constitution of India, "to organize village panchayats and to endow them with the powers of self government" appears to find some kind of fruition in the new Karnataka legislation pertaining to the strengthening of Panchayat Raj institutions. The most important feature of the Karnataka legislation relates to the federalising of the State polity. In this respect they have gone further than even the Government of West Bengal where the DRDA is still an entity separate from the Zila Parishads. In Karnataka most of the planning and developmental functions at the district level are proposed to be given to the Zila Parishads. There is a provision for the setting up of an inter-district council at the State level comprising the Chief Minister and the Chairmen of all the Zila Parishads for settling inter-district problems. There is provision for a State Finance Commission for devolution of resources to the Panchayat Raj institutions. The voting age ~~has~~ been reduced and the State Government is reported to be considering some form of proportional representation. The enactment provides for reservation of seats for women, scheduled castes and tribals in the Panchayat Raj institutions. The Karnataka experiment is a step short of a full - fledged district government. It does not provide for the handing over of non developmental functions to the PRIs. But, whatever has been conceived and visualised, is a strong step towards the evolution and possible maturing of a third tier government namely the District Government. Similar efforts in different forms have also been made by Andhra Pradesh. However, it may be said without any hesitation that the mere setting of institutions and institutional structures does not necessarily result in change. A great deal depends on political will of the governments concerned, the competence of administrative structures and most importantly the

vigilant participation of the people themselves. The idea of the development of district governments appears to be very attractive but in the context of the sub-continental nature of the country it is both essential and important to ensure that in developing a dynamic polity the centrifugal forces do not exceed in strength the forces of cohesion, unity and integrity.

15. A Word Of Caution

Decentralisation based on citizen participation is a laudable objective by all means but it has to be conceived and concretized in the context of the unit and integrity of the nation. That is the paramount need of the paradigm of development. Perhaps Jawaharlal Nehru had this prime consideration in mind when he said "planning is cent per cent centralisation and nothing else. The centralized authority responsible for planning might be big and there might be joint planning by all states for the whole of India. But decisions by such an authority should be taken in an overall way and given effect jointly. The Central Government and the State Governments should be looked on as a part of the same living organism which has a duty to look after the country.

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NEW BEGINNINGS IN DEMOCRATIC DECENTRALISATION

By

Prof. Vasudeva B. Kamath
Personnel Consultant and
Ex-Member, Executive Committee
of IIPA (Maharashtra Regional Branch)
Bombay.

The Maharashtra Regional Branch of IIPA, in 1982, organised with the active support of the Central Institute, as a deliberative method of decentralisation, a well planned colloquium on "Democratic forms of Government - the Indian Experiment and its Future". In the Theme Paper presented by the Author, the Concept of Democracy, which is the Foundation of to-day's Conference Theme was described thus:-

Concept of Democracy

The term 'democracy' is of Greek origin, derived from the words 'demos' - meaning 'the people' and 'kratiam' meaning 'ruling power' and hence, democracy literally means 'ruling power of the people'. It is commonly used to designate a form of Government, the kernel of which is the constitutional right of the people to govern themselves i.e. by the will of the majority of the people (based on the concept of equality of men); it further means a society based on equality. In other words, in the modern world, we do not think just of political democracy through the ballot box alone or of adult franchise but of social and economic democracy also, as the other two dimensions of human development. In fact, in a three dimensional democracy, democracy becomes the citizens' way of life and work. In working terms, the pre-requisites of democracy are as under:-

(a) all citizens have the right:

- (i) to freedom of speech and expression;
- (ii) to assemble peaceably and without arms;

- (iii) ~~to form associations or unions (or political parties);~~
- (iv) to move freely throughout the territory of India and settle in any part of the country;
- (v) to practice any profession, or to carry on any occupation, trade or business.

(all enshrined in Article 19 of the Constitution of India and are enforceable through a Court of Law subject to reasonable restrictions in the interest of the security of the State, friendly relations with foreign States, public order, decency and morality or in relation to contempt of court, defamation or incitement to an offence).

- (b) Freedom of the Press;
- (c) Free and fair elections at equal intervals of time, say every quinquennium under an independent Election Commission;
- (d) An independent Judiciary (in the Indian context Legislative measures being subject to judicial review);
- (e) Equality before the law and equal protection of the law.

Concept of Decentralisation

2. In the current Theme Paper of Dr. S.N.Mishra on Democratic Decentralisation, made available for the decentralised Regional Conference in Bombay about one-month in advance, the concept of decentralisation, as it applies to India is briefly stated thus:-

Having its mixed goals of democracy, decentralisation and development, it refers to the programmes and tendencies which implies devolution of governmental powers and responsibilities, decentralisation of political institutions, development of local leadership and strengthening the efforts for economic modernisation. However not all scholars agree to this formulations.

Professor Hanson

In a narrow and technical sense, Prof. Hanson uses the term 'democratic decentralization' to identify the process whereby the responsibilities of the central government are transferred to

subordinate agencies which are elected by geographic or functional constituencies. These agencies acquire some of their powers not by delegation from higher administrative authority but by legislative or constitutional provisions.

Modern Principles of Scientific Management-Implications

3. During this process of democratisation and decentralisation of political powers and administrative responsibilities it would be necessary to realize certain concomitant implications of modern principles of scientific management, which evidently are increasingly being applied to public administration. A few of these are indicated below:-

(a) While authority or power could and should be delegated, and responsibilities/duties should be distributed and shared both horizontally and vertically downwards, accountability can never be delegated, as it is fixed under the Constitutional provisions or legitimate legislation (e.g. Prime Minister, who is answerable to the Parliament which comprises the President and the two Houses under our Constitution and accountable to the People of India through the Parliament, cannot conveniently get away from the Bofors kickback deal, by asserting that neither his family members, including relations in Italy, nor his friends nor any member, of his cabinet were 'involved' in the deal. Defence Secretary who is subject to Conduct Discipline and Appeal Rules can indeed, get away with such casual remarks; but not the Prime Minister of India who cannot even be impeached under the Constitution and he can rightly take credit for the Assam, Punjab and Sri Lanka Accords; and so take discredit or be blamed as well).

(b) For effective command and two-way communication system, proper harmony and sound team work, periodic reporting and control which is a sine-qua-non^{for} decentralisation, size of the cabinet should be restricted to a sound and stable Social Group of 30. If more Ministers are unavoidable, they should

P.M.

Accountable

be appointed as Ministers of State or Deputies. Similar norms between President and State Governors, Central Cabinet Secretary and Central Government Secretaries, their deputies etc. and so also State Chief Secretary, Secretaries of Department and their Deputies etc. The species of Deputy Prime Ministers or Deputy Chief Minister has no Constitutional status and should better be avoided, as past experience and experimentation has proved ugly and even dangerous.

Deputy
M./C.M.

Two full terms for President/P.M./C.M.

(c) Size of the country, magnitude and complexity of people's problems are such that, Parliamentary and Organisational Wings of the Political Parties should ought to have separate Heads and there should be a statutory bar for any person to hold the same office for more than two full terms as in the case of the President of U.S.A. That would facilitate democratisation and decentralisation at all levels. All political parties should be subject to registration and annual accounts subject to statutory audit, for politics is no longer a voluntary social service but lucrative commerce, expanding industry and well paying business including retirement benefits.

Statutory Constraints

(d) Socio-economic policies and programmes at National, Zonal, State, Regional, District and local village level under the Planning and Developmental authorities are all within the framework of the statutory parameters laid down in the Constitution such as Preamble e.g. Socialist Secular Democratic Republic, Fundamental Rights and Duties of Citizens and Directive Principles of State Policy such as Art.40 on village panchayats; Art. 45 on free and compulsory Education and Art. 50 on separation of judiciary from executive. That is why, irrespective of the name of the party in power at the Centre or the States or even Municipal, Zilla Parishad, Mandal

or Panchayat levels, and the political or social philosophy viz. Communism, Socialism, Democracy, Humanism or even Linguism/Communalism/Regionalism, which they might pretend to preach or follow, there is not much difference in their positive, purposeful and socially beneficial action-programmes, implemented by the differently labelled parties such as Congress (ABC or XYZ), Indian Janata or Bharatiya Janata, Lok Dal (A or Z), CPI or CPM, RPI (A, B or C) Shiv Sena, Muslim League and so on.

National Government Appeal

4. If the objective of Art. 40 viz. The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government, is to be achieved, the lead for giving up a part of the holding power and authority by wilful and deliberate sharing, horizontally and vertically, should come from the top, by forming a National Government of all parties and non-party men of mark. This experiment then could percolate down to the States and local self-Government authority. Hence the following Appeal made by fourteen of us, a couple of days back on 27-10-87 from Bombay:

"Deeply concerned by the continuing political stalemate and the crisis faced by our country, we are making an appeal to the President of India as also to our fellow citizens to give serious thought to the proposal for setting up a national government to overcome the current crisis.

It is evident that we now have a government at the Centre which has lost much of its credibility and moral legitimacy and will find it increasingly difficult to solve the problems of drought, terrorism, communalism and general law and order.

The dilemma our people face is that they can elect a government but cannot force it to work honestly and efficiently. It was proved in 1974 and is being proved now that a party that has a large majority does not necessarily provide stability. Though limited in importance when it comes to large national contours, elections in our country have continued to prove impotent in shaping public affairs. In fact, they are becoming increasingly negative in nature, i.e., they are more a vote against than a vote for. People may vote decisively but parties, whether winners or losers, interpret the vote in ways that have little to do with the people's verdict.

Before our people lose faith in the vote itself, we must search for a solution. And the only solution, if we wish to avoid a tragic repetition of the emergency, is to install a national government for a short period of six months and then have a fresh election. Such a national government could include eminent persons from outside political parties.

This interregnum would also provide the necessary hope for the people and the time for sensible politicians across the party lines to think for the country and work out a new alignment of forces. It is, therefore, for the President and right-thinking people to insist on a national government between now and the next election. This alone will provide hope and continuity to our democracy."

Long-Term Objective

5. In the Theme paper, Dr. Mishra gives the long-term objective of Democratic Decentralisation (Panchayati Raj) as Establishment of democratic Local/District Government discharging all district level developmental, Municipal and ultimately regulatory functions. If we have learnt any lessons, from the successes as well as failures in our Cooperative Movement, Democracy at Grass-root levels such as

Panchayat, Zilla Parishad and Municipality, during the first decade after we gave to ourselves the Constitution, then the later efforts of J.P. for Reconstruction of Indian Polity through non-party system and the subsequent experimentation in Kerala, Punjab, Karnataka and Andhra Pradesh, as a guide for the future, elections from Panchayat to Municipal Corporation should be on non-Party lines. Then only these institutions would serve as democratic instruments of socio-economic transformation, as envisaged in the Directive Principles of State-Policy.

Resolution on Democratic Decentralisation

6. And hence the Resolution on 'Democratic Decentralisation' discussed at a Convention of over 500 grass-root non-party workers organised by Rashtriya Sampurna Kranti Manch held last month in Delhi, reproduced below:-

Democracy has been defined as a government of the people by the people for the people. It is evident from the very definition that if there is no opportunity for people's direct participation in their affairs there cannot be true democracy. The direct participation is possible only where the people live that is in the village and cities. At higher levels, the people's participation in the administration is possible only through their elected representatives.

As such, in a democratic set up issues concerning the people should be decided at as far as possible the grass-roots, where people's direct participation is possible. Such matters as cannot be managed at the village level should be administered at the block level, those matters which cannot be managed at the block level should be taken up to the district level, those which cannot be managed ^{at} the district level should be tackled at the State level and the rest. This will ensure administrative units at different levels, function efficiently without depending

on subsidies and grants from governments. The powers of different units and the requisite financial resources should be spelled out in the constitution. For this purpose, Article 40 of the Constitution has given directive to the Government to make laws for the development of Panchayats as units of self government. Today's capital intensive centralised method of production should be so transformed that the processing of raw materials in the village takes place there itself, the method of production becomes labour intensive with a view to ensure full employment for all. This will do away with the dependence of villages on cities and will result into maximum decentralisation of production. It will also incidentally remove the unnecessary burden on the cities. So also in place of the centralised planning, every village/city should be given the power and responsibility of preparing and implementing village/city plan.

It is unfortunate that in the four decades after independence there has been more and more concentration of power at the centre at the expense of lower units of the administration leading to centralisation of affairs and financial resources. The demand for more powers and more resources to the States has been raised at several places in the past. With the State Governments feeling helpless, the plight of administrative units at the district and village levels can well be imagined. These lower units have not been granted powers and resources by the Constitution and have been left at the sweet will of the State Governments. In most of the States Gram Sabha has powers only to make recommendations to a Panchayat Samiti, which passes the budget of a Panchayat. The resources of Panchayats, Blocks and District bodies are meagre and depend solely on grants from the State. In many of the states, there have been no elections for Panchayats or Municipalities in the last 10 to 15 years. Thus the Indian democracy is a representative democracy at the centre and bureaucratic at the district, block and village level.

Therefore one finds no responsibility, self confidence and enthusiasm among the people in village and cities.

To change this scene of despair and helplessness into that of confidence and participatory democracy there should be decentralisation of power, ensuring necessary financial resources through the Constitution. The responsibility of holding elections for lower units should be entrusted to the central election commission instead of state Governments as is the practice. This will ensure direct democracy the largest democracy of the world and the people will feel the glow of independence.

Quit India Resolution

I cannot conclude this paper better than by recording herein the last para of the Quit India Resolution adopted on 8th August 1942, at Gowalia Tank Maidan, now named August Kranti Maidan.

"Lastly, while the AICC has stated its own view on the future government under free India, the AICC wishes to make it quite clear to all concerned that by embarking on mass struggle it has no intention of gaining power by the Congress. The power when it comes, will belong to the whole people of India".

Even after 40 years, Congress does not wish to part or even share that power with the whole people of India, to whom it rightly belongs.

Post Audit of Constitution and Constitution Makers -

Decentralisation. by Krishan Kumar*

Conference has first ALPHABET - C so is the case with Constitution and therefore C - circle is the popular POSTURE for deliberations and decisions.

2. When they sit Horizontally or vertically they think also accordingly. The net result is the matter on which they think and speak get into circles. They therefore, normally conclude that there is a need for a conference to arrive at a CONSENSUS.

3. Keep this in mind please. Your honour would be surprised that the topic of centralization and decentralization has entered the blood of Indian citizen in this manner. The politicians who have their base in the region talk of decentralisation by saying that - Union should keep to themselves only Defence/External Affairs/Communication currency/Overviewing power/Railway. DECOR - A short word for DECORATION

4. The politicians who have a base in the Central Politics they find the centre is not for Decoration but for Decorating the States so what is best for the States in different aspects of its development Centre decides and States as Units of the Federal System carry on the same. In addition the States have a task for themselves as given in State list - vide Art. 246 of the Constitution.

5. To create confusion the shuttling politicians who have a moving base in Regional/State Politics and Central Politics they speak the language of the occasion to have clapping instead of slapping. It is this group which finds something wrong with Dancing Hall and Dancing Manual. These politicians as long as they go on getting CHAIRS and CHEERS the Constitution is EXCELLENT. The day it is with held or they fall from the grace of chair and Cheers they find faults in the Constitution. They always find perfection in their own Dancing Art. They are the persons who purpose amendments /review of the Constitution by proposing a few suggestions as under:-

contd.....

* Krishan Kumar, Adv., Supreme Court, Chamber No.125, Supreme Court Compound. Life Member, Indian Red Cross Society/Indian Institute of Public Administration/Indian Law Institute/Institute of Constitutional and Parliamentary Studies-Representing Society for Fundamental Duties (Art 51-A of the Constitution of India). Author and Co-Author of Delhi Local Laws Vol-I, VIII, Delhi High Court Rules, Delhi Police Law.

- | Sl. No. | Proposed suggestion for amendments |
|---------|--|
| A | Federal word be incorporated in the preamble. |
| B | Redistribution of subjects - Union, State, Concurrent. |
| C | Concurrent/Residual power with the States. |
| D | Ethnic/Cultural Programmes by the States. |
| E | Upper House based on religion/Linguistic/Cultural/Ethnic Representation. |
| F | Emergency - same principles for State as for Centre. |
| G | Redrawing of the State List Subjects - for exclusive power to legislate. |
| H | Executive Power in the States for concurrent subjects. |
| I | Revamping of the Role of the Governor - as Head of State and not an Agent of the Centre. |
| J | Centre should have no power to dissolve State Government or its assembly. Instead immediate elections for a new Democratic Government. |

Reply

Kesavananda Bharti Case answers this point, Supreme Court Judgment (AIR 1973 SC 1461).

Not required.

Present arrangement of lists has not created problems.

This dream can be achieved by federal system.

All emotional issues cannot exist to extinguish fire and achieve Federal Unity.

State is a unit of Federal System - Not vice-versa.

Presently state list answers this point.

It does exist - Read Article 254.

His Role Dual - must for Federal System.

Every thing takes time - it can not be done by switching on or switching off. For intervening period centre has to run the State Administration. Centre is a federating organ can not be equated to a State.

Proposed suggestion for amendments

Taxation - Realisation should rest with States. Centre should be contented with the deposit made by the States after Realisation.

Finance Commission, Planning Commission, University Grants Commission, and for that matter any Commission should operate under State Control and not under Central Control for giving life to State Funds, Plan/Education.

All India Services be replaced with All States Services - which would be controlled by the States for Day to Day functioning/Recruitment/Discipline/Execution.

Judicial System ends at High Court. Supreme Court only for subjects - State V/s State or Centre V/s State or vice-versa.

Specialised tribunals in all fields like industrial tribunal/administrative tribunal in all States with an appeal to High Court only. State language as language of the High Court.

All specialised courses of study like Medical/Engineering/Legal in State languages only.

No Union Territories.

No Central Institutes/Universities.

Reply

Federal Forces cannot live on the Mercy of States, Vice-Versa is the only solution.

State participation in the Deliberations already exists. For improvement State should print their Five Year Plans for Revealing to the public what States propose and what in fact State Got. Only easy chair criticism serve no purpose.

Federal Services is a must for Federal System.

Idea Noble.

Idea Noble.*

Idea Noble.*

Idea Noble.

* Suggestion good. But this undermines the standard in the World Market - Hence Federal standard is inevitable for that federal recognition is a must.

9. The reading of Constituent Assembly Debates is a luxury for them. Quoting the individual Authors and their views out of context is a hobby with them. You may be Hindu/Muslim/Christian/Sikh/Jain/Buddh/Nepali/Bengali/Madrasi/Sindhi/Punjabi/Gorkha/Haryani/Bihari/Keralite/Assami/Maharashtrian/Gujarati BUT YOU ARE ONLY THE INDIAN. As an Indian what you did on 26th November, 1949 is as under "In our Constituent Assembly this 26th November, 1949, do hereby ADOPT

ENACT and
TO GIVE

To ourselves this Constitution.

How and under what provision Individual View or a group of Community has a Value that Dancing Manual - "Constitution" is not providing All what is required of it. The Dancing Hall - 'Parliament' cannot take care of the Dances - Debates/Dialogues/Decisions required in the present set of circumstances. In support of their wise thinking they count on their community sacrifices during Freedom, Struggle. In this process they want to have a BONUS/PENSION/COMPENSATION/HONOUR/HONORARIA for themselves in the name of community as spokesman of their community. Please forget to draw Awards and Rewards on others deeds. Earn the same on your Deeds for yourself.

10. These dancers with little knowledge of Constitution and the Parliamentary System find, fault with Constitution and treat themselves either above the Constitution or above the Country.

11. In short their philosophy is If Indian Independence Act is repealed by British Parliament, Crown Gan Control India and Governor General can come back with the blessings of the British Queen.

12. For their mental imbalance the solution is open the gate for their exit - Go and Take citizenship in that part of the world where they can have Peaceful Death. NONE WOULD GO. WAGGING Tongue at home is different then so doing outside.

It would not be out of place to reproduce the paper read at regional conference - at Delhi on 19-9-87 on the subject "Philosophy and Law of Decentralisation - Essence" (Placed as Annexure-I).

After grinding the substance is: (a) Centre - must be strong for To-Day's India/Tomorrow's India/Day After Tomorrow's India and so on. (b) Decentralization - Down to Village - with reference to State Subject.

TODAY IS SARDAR PATEL'S BIRTHDAY WE CAN NOT FORGET UNITY CREATED BY HIM IN FIFTIES.

JAIHIND

I.I.P.A. (Regional Branch) - Delhi - Conference - 19.9.1987.

.....

Philosophy and Law of Decentralisation - Essence.*

CORPUS JURIS SECUNDUM, Vol. 14, page 106 and
Black's Law Dictionary - Page 204 defines Centralisation
as concentration of power and authority in a central organisation
or government. It does not define the word "decentralisation".

2. New Webster International Encyclopedic Ed. defines
centralisation as the act of centralising or the fact of being
centralised, the centralisation of administrative power in a
central government. (Page 184) Decentralisation, however, at
page 258 stands for the act of distribution of administrative
powers of a government.

listed

3. C.M. Parkinson has/six characteristics of bureaucracy:

- (a) Excessive centralisation, (b) impersonality,
- (c) departmentalism, (d) rigidity, (e) complexity and
- (f) incompetence.

To find a remedy for these evils, each of them must be replaced
by its opposite, i.e., (a) Delegation, (b) responsibility,
(c) coordination, (d) flexibility, (e) simplicity and
(f) effectiveness.

4. The philosophy of the subject finds its beginning in U.K.
in October, 1929 - Committee on Minister's powers under the
chairmanship of Donoughmore. The food for this committee came
from Lord Hewart's Book: "NEW DESPOTISM" where the
Hon'ble Judge charged the civil service with an insidious cons-
-piracy to acquire illicit power.

5. The committee rejected the charge and said the truth is
that if Parliament were not willing to delegate law-making power,
Parliament would be unable to pass the kind and quantity of
legislation which modern public opinion requires.

6. In 1955 Franks Committee was appointed for the Ministers'
functions.

7. These two committees helped the growth of Administrative
Law.

8. Under India's Constitution, Art. 77(3), 246 and 254 deal
with the subject. First deals with Allocation, second with
subjects and third with the laws and their effect.

9. This shows the Constitution of India supports the scheme
of decentralisation and therefore the essence is Decentralisation
is our SLOGAN.

10. On the action part, we have generated Bye-Laws either by
drafting/adaptation/resolution/promulgation in the form of Rules/
Regulations/Notifications/Circulars/resolutions/Instructions
to enforce the Decentralisation. The only suggestion we need
Family Planning in the field of Bye-Laws. (Harla vs. State of
Rajasthan - AIR 1951 SC 467 or SCR 1952 p.110). The case has
highlighted the principle of natural justice with reference to
the laws and about their knowledge. This holds good even today.

11. The Truth of the Criticism by Lord Hewart is well digested at pages 36, 296, 298, 369 and 370 of the book titled as "Comparative Studies of Six Living Constitutions by B.B.Gupta (1974). All those evils against which alarm was raised are prevailing in India. The substance of criticism reads :-

- (1) Acts passed-Skeleton-Executive usurps power of Parliament; (2) Scrutiny-Nominal; (3) Protection of Court-negligible; (4) Self respecting people will not tolerate; (5) Official provides protection for their errors in procedural (adjective) and substantive law; (6) Harass the public for small omissions.

12. The recent case of Sairabibi reported in Guj.Law Reporter Aug.'87, page 903 has revealed how the State Law and Central Law are administered under Art.254 of the Constitution of India.

13. The paper would be incomplete without paying homage to those who fathered the principle of Decentralisation via Federalism/Federation. (a) Govt.of India Act 1935, Sec.100 (The Hon'ble Members of British Parliament); (b) Outlines of a new Constitution by Sir B.N.Rau 1945-46 - Jan.'46; (c) Recommendations of the Committee on the Principles of Union Constitution, 4th July, 1947 (CA Document No./63/Cons/47) Chairman, Pt.Jawahar Lal Nehru. This Committee touched major part of the Constitution between Union and States.

14. Judex Est Lex Loquens - "A Judge is the law speaking"
Coke.

15. In Kesavananda Bharti case (AIR 1973 SC 1461) Federalism has been described as a basic or essential feature of our Constitution.

16. Entries in Legislative lists of the Schedule to the Constitution must be read in its widest amplitude for legislation on the subject-matter of entry and also on incidental provision. Kasturilal Harilal vs. State of U.P. (1986) 4 SCC 704 (para 4).

17. Southern Pharmaceuticals & Chemicals, Trichur & Ors. vs. State of Kerala & Ors. (AIR 1981 SC 1863 at 1869-70) paras 12 and 15. "The Central and State legislations operate on two different and distinct fields, and hence State Legislatures can enact the legislations. (AIR 1964 SC 1870 was followed) vide page 110 - War of Wits (1987) by Moolchandani.

18. Interpretation of statutes, expression used in Rules, bye-laws or forms should be construed in consonance with the Act. (Para 8 at page 413-414).

19. For Amendment (para 9, page 415 - The rule is that when a subsequent Act amends an earlier Actas if the altered word had been written into the earlier Act with pen and ink and the old words scored.

20. Petition under Art.136 not entertained normally when alternative remedies available as Departmental Appeal, petition under Art.226-227 etc. (Page 405) last headnote.

1985 (4) SCC 404 M/s Onkarlal Nandanlal vs. State of Raj.& Anr. deals with para 18,19,20 of this paper.

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INDRAPRASTHA ESTATE, RING ROAD,
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

SYNOPSIS ON DECENTRALISATION POLICY IN INDIA: A VIEW-POINT

By: Dr. K. Murali Manohar
Reader
Department Public Admn.
Kakatiya University, Warangal

The most serious constraint confronting rural development for India's rural poor is the existing socio-economic structure of the present day rural society. Rural poor has no or a little share in the existing socio-economic or political power structure that enforces the subordinate role of the rural poor. Turning over this power structure therefore should be the main task of any 'reform or reorganisation' in India. The present paper attempts to examine whether the reforms introduced from time to time in India's decentralisation policy has in any way helped to achieve the above said objective. Since it was time and again pointed out that the purpose of democratic decentralisation in India is to ensure complete peoples participation, entrust developmental responsibilities to local organisations, and decentralise power to local levels, it is also attempted to examine the policy-performance gap in this regard.

The process of democratic decentralisation has been visualised in India during the early stages of independence and the adoption of Indian constitution. The said objective was considered to have been realised when panchayati raj institutions have set up in different States. However different States have adopted the Panchayati Raj Scheme in different years and in different ways. There were frequent 'reforms or reorganisations' of these so called 'autonomous' local bodies and despite of it still there was a lack of unanimity among different States on matters relating to various aspects of local government institutions. Most of the time the

changes introduced were generally centered around the issues relating to the 'levels', and their 'structural relationship', 'direct or indirect elections', 'role of political parties', 'committee system', 'staffing pattern', and 'State supervision'. The questions relating to 'constitutional safeguards', 'more grants', 'more financial powers', 'more autonomy', and 'less administrative interference' remain significantly unanswered and yet times totally untouched. And the failure to conduct regular elections to local bodies became a rule than an exception. There is a widespread mistrust and lack of confidence and despite entrusting more and more rural development activities to panchayati raj bodies, their future still hang in between suspicion and uncertainty. The puzzle even now continue to remain unsolved.

The trends as observed by several studies indicate that there has been devolution of some political power to local levels and emergence of local leadership, but these have been only led to the formation of 'vote banks' while help establishing a sort of 'power-base' to the national leadership. The objective of mass participation could not be fulfilled as economically dominant classes have invariably captured the local government organisations. The reservations to Scheduled Castes, Scheduled Tribes and other Backward Classes too benefitted only a relatively advantageous sections of the said population, while the newly emerging leadership too entirely dependent on dominant classes for everything. In the ultimate analysis, these local government institutions thus facilitated only shoring of power among various economically dominant classes while further alienating the masses from participation. The concentration of power in the hands of economically dominant sections naturally permitted the reproduction of existing systems at the local levels in which the benefits are invariably cornered by the dominant classes. This is infact highly subversive even to the very purpose of the policy of decentralisation and objectives of rural development. This would essentially call for a reassessment of the whole issue and a fresh thinking on various aspects relating to local government institutions.

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New Thrust for Democratic Decentralisation in Rural
Local Bodies in Bihar.

Dr. Bharat Mishra
Reader Department of Political Science,
H.D. Jain College
Under Magadh University Service

Democratic Decentralisation is a legacy of Indian Administrative thinking. Late Pt. J.L. Nehru was exponent of this concept. As a result the notion of Democratic Decentralisation is clearly found in Art. 40 of our constitution which says "The State shall take steps to organise Village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government."

After independence laws were enacted for establishing village Panchayat in almost all the states of India. Gandhijee always put emphasis on Gram Swaraj. In Art. 40 concerning the establishment of Gram Panchayat we find the influence of Mrs. Gandhi and J.L. Nehru.

In Bihar the Gram Panchayat Act was passed in 1948. In other states too the laws were passed concerning Village Panchayat and they were established with more or less on the same pattern.

No doubt the principles of Democratic Decentralisation is mainly an Indian concept, of course we heard of Democratic Centralisation which is a soviet contribution and is totally different from Indian view of Democratic Decentralisation.

After establishment of the Communist regime democracy was established in the U.S.S.R. but many western thinkers including Dr. H. Finer were of the view that there was no democracy in Soviet Union. Only there is a dictatorship of the Communist Party. Earlier as the political power was centralised in the hands of the Czar so now it is located in the Communist Party. It is only old wine in a new bottle, but Soviet scholar opposed this view. Stalin was of the opinion that the purest form of democracy is visible only in Soviet Union where almost all the voters exercise their right to franchise. All the Communities have the equal right without any distinction of cast, creed, sex and place of birth. All the posts are opened for all the people. The new constitution of the U.S.S.R. by Art. 34 to 36 provides the following basic democratic rights to its every citizens. The Art. 34 says Citizens of the U.S.S.R. are equal before the law, without distinction of origin Social or property status, race or nationality, sex, education, language, attitude to religion, type and nature of occupation, domicile or other status.

The equal rights of citizens of the U.S.S.R. are guaranteed in all fields of economic, political, social and cultural life.

According to the Art, 35 women and men have equal rights in the U.S.R.

According to Art. 36 citizens of the U.S.S.R. of different races and nationalities have equal rights.

From the above description it is clear that there is a democracy in the U.S.S.R. It is true that the democracy in the U.S.S.R. is different from other democratic nations of the World. There is no bi-party system there. voters have no option but to vote for the candidates set up by the Communist Party of the U.S.S.R. Even in India. The instructions are always given by the top to the bottom. There is a hierarchical system in the U.S.S.R. Even in India political parties' organisations, the party bosses

always issue commands to the lowest wings. In the Congress Party the D.C.C. and the P.C.C. have to follow the instructions of the A.I.C.C.

However the Soviet Democracy is not a perfect democracy. Burk used to say "a perfect democracy is the most shameless thing on the earth."

In the Soviet system there is a principle of Democratic Centralisation. It is applied in the U.S.S.R. in toto. It implies not only democracy but also centralisation. This is achieved by the fact that the Central Government has been given a large measure of control over the activities of the Union Republics. Moreover the Communist Party controls the affairs of the both the Central Government and the Union Republics. There is nothing that escape the control of the Communist Party.

Contrary to this in India we have followed the principle of Democratic Decentralisation. Meaning there by that power should not be located at one hand even in democracy. The lowest organs should also be given some powers. This is the real meaning of Democratic Decentralisation.

Pt. Nehru was always in favour of giving some real powers to the Local Bodies. The principle of Democratic Decentralisation has been applied in our local set up.

The former Prime Minister Pt. J.L. Nehru had appointed a committee under the chairmanship of Mr. Balwant Rai Meheta which is popularly known as Halwant Rai Meheta Committee. The Balwant Rai Meheta Committee has felt that in absence of genuine power to the local bodies they suffer a lot. People's participation is negligible. Therefore the Committee suggested three type system for Rural Local Organisation which is known as Panchayati Raj Scheme or Democratic Decentralisation. The report was published in 1957.

The state governments were asked to implement the Balwant Rai Mehta's Report in toto. Some state governments enacted the laws concerning Panchayati Raj. In Bihar the Panchayat Samiti Zila Parishad Act were passed in 1961. In earlier stage it is was only implemented in Bhagalpur, Ranchi, Muzaffarpur and Patna in four districts of Bihar. From 14th November 1980 it was implemented all over Bihar.

According to the Panchayati Raj Scheme there will be Zila Parishad at the district level, Panchayat Samiti at the block level and the village Panchayat at the villages.

The main purpose of Panchayati Raj Scheme was to hand over some real powers to the Rural Local Bodies, to create community feeling and to prepare rural leadership. They work successfully in some parts of the country and some where they fail to achieve the real target.

As we know the village Panchayats are not working as satisfactory as it was expected. So is the case with Panchayat Samiti and the Zila Parishad. These Panchayat Bodies have become the political area where the leaders fight for power and forget to provide real help to the people. Local Bodies also suffer from virulent form of casteism and nepotism.

Thus the real aim is not achieved at. A strong public opinion is needed to develop the Panchayat Bodies. Unless there is public awareness and alertness are created. The Rural Local Bodies can not do any good to the people.

Besides these there is a serious danger on these Local Bodies. Neither they have political freedom to work according to their planning nor they have economic security to fulfil the works for which they are created. The village panchayat for example has to do all the works which are required for a good and self-sufficient village. So panchayat Samiti and Zila Parishad have to discharge a number of works at their respective areas for the

betterment of the people. They lack resources to implement them fully.

Not only this there is enough control by the government on these bodies which mors the objectives for which the Panchayat Raj Scheme was launched.

The Government controls the bodies in various ways. H First of all legislatively, the constitution and functions of the local bodies are defined by state Acts and the detailed application of the Act is regulated by the rules made by the state government. These rules some times limit the scope of the local bodies. These rules regulate important matters such as fixation of number of members of local bodies, the mode of selection, preparation of electoral rolls, conduct of elections, assessment of collection of taxes and other things.

The Local Bodies lack financial resources. They have to mainly depend on the government to carry on its business. The Government gives them annual grants and some times advances loan. Not only this the State Government also sanctions the Local Bodies' proposals of taxation, raising of loans and in many cases for their budgets. The Government appoints V.L.W. which is popularly known as Gram Sevak, acts as Secretary in the Village Panchayat set up. He is a link between Mukhiya and the B.D.O. He represents the State Government in the village panchayat. At the panchayat samities' meetings B.D.O. who is a government officer dominates. He maintains the records and proceedings of the meetings. No doubt officially Pramukh presides over the meetings of Panchayat Samiti but the presence of B.D.O. with governmental authorities makes Pramukh less powerful than B.D.O. Most of the members of the Panchayat Samitido not oppose B.D.O. for his ommissions and commissions because they want to take certain benefits from him.

In Zila Parishad too the D.D.C. is the most powerful person of course the Chairman and the Vice-Chairman of the Zila Parishad are elected public men but D.D.C. because of his power and position dominates the scene. The D.M. also plays prominent part over these bodies. D.D.O. and all the B.D.O.s have to work under his supervision and controll.

Besides these the Government also appoints peon and other staffs in Zila Parishad and Panchayat Samiti. Not only this Government have the rights to information, power of inspection of sanctioning regulations, bye-laws and numerous other kinds of the Local Bodies' decisions, of acting in default, of controlling the Bodies' establishments in various ways, of suspending its resolutions of specified kinds of hearing appeals from its employees and the public against certain orders, and of the removing particular members or, the Chairman, or dissolving or superseding the Local Bodies itself.

The Government also decides controversis beteen two or more local bodies and conflicts of jurisdiction between the board and its committees and officers. Audit of the Local Bodies' account is also done by a state agency which has powers of disallowance and surcharge.

When we examine the controll by the Government over the Local Bodies we come to conclusion that it is too strict and too barsh. Dr. M.P. Sharma in his book "Local Self-Government in India" observes "It is formal and negative, rather than constructive and positive. Its objective is to check the board's acts and resolutions against the laws, rules and orders and to forbid lapses from them rather than to scrutinize them from the point of views of administrative propriety and efficiency and suggests improvements needed."

Scholars feel that the Government control over the Local Bodies is excess. The fact is that the legal powers of control of the Government are far reaching and generally misused. Undue interference by the Government in day to day working of the Local Bodies undermines its autonomy.

In any conflict between the Local Bodies Officials and Government's agents generally the Government sides its staffs even ignoring the right claim of the Local Bodies. This is the reason that some scholars feel that the idea of Democratic Decentralisation is a farce. It is based on hierarchical system which is defective. The principle of Democratic Decentralisation has not been implemented in right spirit. The real power is vested with the Government.

In fine, I feel that the thrust in Democratic Decentralisation lies to improve human relation at the rural level. Where the Rural Local Bodies exist, the lack of confidence and jealousy among the rural people stand on the way of the success of the Rural Local Bodies.

As we know "External Vigilance" is the price of liberty. If we are not alert we can not run out Rural Local Bodies effectively and wisely. Prof. C.M. Harris, Prof. W.H. Robson, and scholars like Maund and Finer have vehemently opposed too much control over the Local Bodies. In comparison with village panchayat samiti in India, the Borough and County Borough in England and even the French Communes enjoy greater autonomy and freedom.

Pandit Nehru was of the opinion that the democracy is not merely parliament at the top or in the States but something that excites in every person and indeed any place in the country if need arises. "He further says It means to train up every individual in India to be a potential Prime Minister of India".

Democracy will be strong when power should not be concentrated in a few hands and at a few places but it must be decentralised where people can participate freely and fearlessly. The Government should safeguard the people's interest and takes suitable steps for their active involvement in rural local bodies instead of marring on the whims of power hungry bureaucrats.

The need of the hour is to increase political skills and consciousness, to create public awareness, to create opportunity for promoting national integration and try to established a society based on justice-social, economic and political.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

New Thrust in Democratic Decentralisation

Dr. Sakti Mukherjee, Calcutta University

Dr. Indrani Mukherjee, Maharani Kasiswari
College.

The ideal of democratic decentralization is the core of Gandhian political thought. Decentralization connotes the dispersal of power from higher authority to lower bodies. And democratic decentralization signifies dispersal of state power from higher to democratically organized local bodies. Democratic decentralization as an ideal has certain good features. It encourages popular participation in local self-government and promotes local initiative and local mass awakening. It enhances people's consciousness about their civil rights, duties and responsibilities. Democratic decentralization in that sense creates "a corporate sense of responsibility" and it is a training in self-government. Mahatma Gandhi was a staunch advocate of democratic decentralization. He envisages a society in which state power is decentralized and the self-governing panchayats constitute the most important unit of state power. The village panchayats will be composed of elected representatives of people and through panchayats people

will enjoy real and effective power and gain awaraj or self-rule. J.S. Mill, Harold Laski, L.Lipson ardently supported the ideal of democratic decentralization.

In India the constitution provides for a federal system of government by distributing state power between central government and state governments. It provides for further devolution of power to urban municipal bodies and village panchayats. Panchayat system has been introduced in rural areas in accordance with the ideal of democratic decentralization.

Now a new thrust in democratic decentralization is necessary for several reasons. First, the state governments India are clamouring for more power and greater autonomy. But if they are endowed with more power, the decentralizing process must not stop at that juncture. State governments should dispporse more power and authority to local self-governing bodies.

Secondly, the local bodies are crippled with multi-faced problems and weaknesses. So a new thrust is necessary to revamp these local bodies.

Thirdly, the Planning Commission has advocated the ideal of decentralized planning. Decentralized planning emphasises on block level planning and area planning. It encourages popular participation in the formulation, execution and implementation of plans in a bigger way. Consequently the local bodies must be entrusted with greater responsibilities in rural development process. This means local self-governing bodies must be fully equipped to perform the task. So rejuvenation of local bodies is urgently necessary to implement the ideal of decentralized planning.

The local self-governing units such as the municipal corporation and panchayat institutions are troubled with multiple problems, such as:

- (1) State governments' excessive interference into the workings of these local bodies constitutes a severe problem.
- (2) In many areas these institutions are torn by severe political rivalries. The dominant political parties utilized these institutions and their resources to promote their partisan interests.
- (3) In many cases the urban and rural local self-governing bodies have become the exclusive privileges of more powerful and richer section of the community. The weaker and backward communities of urban and village areas have failed to receive little benefits.

(4) Many local bodies are plagued by rampant corruption, favouritism and nepotism. The elected representatives in collusion with the government officials are plundering public money allotted to local bodies.

(5) Many local self-governing bodies are weakened by apathy of citizens. In many areas the general public manifest little interest in activities of local bodies and snub them as dens of party politics and corruption.

(6) These local bodies are also plagued by structural overlapping of functions. A number of state government departments, central government departments as well as local bodies undertake different programmes in the same area without adequate consultation and coordination among their activities. That leads to avoidable duplication and wastages. Thus development programmes are crippled in the absence of integrated approach.

(7) Along with these the village panchayats are troubled with some other problems such as narrow parochial loyalties, and communal factionalism. Many village panchayats failed to act as a viable administrative unit due to lack of experienced and nature leadership. The panchayats are also crippled by inefficiency and incompetence.

(8) In many rural areas, panchayat elections are not held in free and fair manner. The dominant political party of the area unleashes a reign of terror and exerts undue pressure to

vote in favour of their candidates during elections. Panchayat institutions in such areas instead of encouraging free and independent opinion of villagers act as machineries for repression, molesting any dissenting voice. In many areas the particular party controlling the local body always acts under the direction of state party unit. This thwarts the autonomy of local self-governing bodies.

So a new thrust is necessary to revamp the local bodies and infuse new vitality into them. A number of measures must be undertaken to rejuvenate the local self-governing institutions.

First, the state government must delegate to the local bodies adequate authority, powers, functions and resources. The state government should reorganize these institutions as basic agency of rural planning and development.

Second, the local bodies must be allowed to enjoy some sort of autonomy. The interference of party headquarters through local party units at each and every phase of workings of local bodies must be curbed.

Third, effective steps must be taken to check all sorts of corruption and misuse of public funds. Effective and proper inspection and supervision at regular intervals are urgently required. Care must be taken to ensure that inspecting authority discharges its duty honestly.

Fourth, the local people must be informed of the quantum of resources collected and official grants received by local bodies and sources of such grants. They should also be informed of the way and manner in which resources and grants are being utilized.

Fifth, in order to avoid structural overlapping, an integrated approach to development programme in both urban and rural areas is urgently necessary.

Sixth, in case of village panchayat, a comprehensive training programme may be organized to impart training to villagers and persons associated with panchayat administration.

Seventh, in order to increase popular interest and participation in rural local self-governing institutions, adult education programme should be launched on extensive way. Such adult education programme must not be confined to raising only literacy level. The adult education programme may impart social education in respect of citizens' rights, duties and responsibility. Education can go a long way in encouraging mass awakening and mass participation.

Finally, the citizens must keep man watchful eye on the workings of local self-governing bodies. Their enternal vigilance is the price of liberty. The successful workings of democratic institution depend on three conditions as specified by John Stuart Mill.

First, the people must be willing to receive it. Second, they should be willing and able to do what is necessary for its preservation. Third, they should be willing and able to perform the duties and discharge the responsibilities which it imposes on them.

There has been a revolutionary upsurge in our country. The people of the lower strata of the society have become more conscious about their dignity and rights. So they may be encouraged to participate in local self-governing institutions. The ideal of democratic decentralization will be really meaningful only if people of all shades and grades evince keen interest in the affairs of these local self-governing bodies. That will also strengthen the grass-root base of Indian democracy.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987.

"New Thrust in Democratic Decentralisation:
A Success Story from Tamil Nadu"

By: DEVA. NATARAJAN, M.A. DIP. ANTHRO.
Forl. F. and Res. Trg. Cert. (Madras),
F.R.E.S. (London),

Finance Under Secretary to Government
of Tamil Nadu, Madras.

and formerly

Vice-Chairman, IIPA., Tamil Nadu
Regional Branch, Madras.

(Address: 27 (First Floor), Eswaradas Lala St.,
Triplicane, Madras-5.)

SYNOPSIS

1.0 The Paper explains how the concept of Decentralisation has not been spelt out in a uniform manner. The paper also emphasizes that Decentralisation is not mere Delegation of Powers or Decentralisation or Devolution of Authority. In real terms, it deals with deep urgencies and requirements of democracy.

2.0 The paper also explains the Gandhian concept of Democratic Decentralisation and also focusses attention on the Three Important Phases of Political Decentralisation in our country. The first Phase was the brief provision on "Panchayats" introduced at a much later date under Article 40 of the Constitution. In the original Constitution there is no talk at all about the Panchayat System. The Second Phase was the Community Development Programme launched in the year 1952. And the Third Phase was the introduction of the Panchayat Raj institutions in the year 1959.

3.0 The paper focusses attention on the urgent need for a detailed National Debate on the subject of Democratic Decentralisation focussing attention on the operational aspects and value concepts of Democratic Decentralisation. Till a clear National Policy is evolved "Thrust" -- in the matter whether it be New or old will be of no avail. The people must be fully and really involved in the decision-making process and they should not be mere beneficiaries and there should be Real and Effective Devolution of Authority to local-level bodies.

4.0 The paper also draws attention to the recent Government of India's decision that the Panchayat Raj should formulate Block-level Plans and that the Panchayat Raj institution must be fully involved in the process of Plan Formulation and Implementation of the Block and District-level Plans.

5.0 In this context, the author of the paper traces a Success Story from Tamil Nadu, in which the Task Force on Rural Development of the State Planning Commission of Tamil Nadu (For which the author of this paper was the Member-Secretary) and really made a Pioneering Attempt in this direction, way back in 1971 to 1973, and which had met with tremendous success in involving the local people in the Planning Process in a way possible at that time. Those interested in further details may read the book "Towards a Progressive Rural Tamil Nadu" - The Report of the Task Force on Rural Development including Rural Housing (1971-1984) and the book "Seminar Papers and Proceedings" on Social and Economic Planning for Integrated Rural Development (1985) published by the State Planning Commission of Tamil Nadu. The first book was published in 1973 and the second one was published in 1985 and both volumes were edited by the author of the paper. Copies of the book are available for reference in all important public libraries in the Country and in the libraries of all post-graduate Colleges in the State of Tamil Nadu.

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1.0 The Concept of Decentralisation:

At the outset it may be state that the very concept of Decentralisation has not been spelt out in an uniform manner. Generally, it is conceceived and interpreted for a particular purpose. For instance, for an economist, it may mean dispersal of industries. For a local Government expert, it may mean devolution of functions and resp nsibilities to small territorial units. Then again for an administrator who function from a central place, it may mean discretion for Field or Regional Officers or delegation of reponsibilities within one and the same hierarchy. It may also be stated that these interpretations do not land support for framing a conceptual frame-work. In broad it may be said that the decentralisation is not mere delegation of powers. That is, it is not transfer of authority. Again decentralisation is not deconcentration which is just a technique of administration. Then again, decentralisation is not devolution of authority, which mean almost the same thing as deconcentration. Therefore what

exactly is 'decentralisation' is the basic question. We may say that decentralisation squarely deals with the deep requirements of democracy. For getting a clear understanding of 'decentralisation', One has to visualise it only in a broad framework of value concept. Herein Mahatma Gandhi comes to our rescue with his interpretation and a model for decentralisation. As we all know the Mahatma wanted an ideal society in which everybody was free and happy. His view of decentralisation is very wide in its perspective. Gandhiji conceived decentralisation in terms of 'Swaraj' that is self-rule along with which should go the value concepts of self-restraint and non-violence. It is based on social virtue and not personal virtue. For attainment of Swaraj and non-violence, he advocated that the political system should be decentralised. Among the various aspects of the Gandhian model, the following aspects are essential ones:

- (a) Self-contained villages and their proper relationship with towns and cities.
- (b) Individual autonomy and integration for social progress.
- (c) Deceamic circle which envisages a federal form of decentralisation with different levels of autonomous Units with an individual at the centre.
- (d) Village Community and Village Government.
- (e) Political decentralisation should be linked with economic decentralisation. In other words, there is a need for a good economic foundation for democratic decentralisation.
- (f) Appropriate technology should be evolved for each area for decentralisation.
- (g) Dedicated village workers must be prepared for village movement.

2.0 The Phases in the Political Decentralisation in our Country:

We see that there have been 3 important phases in the political decentralisation of the country. To start with in our Constitution there was no provision at all for Village Polity. However, later under article 40 of the Constitution a brief provision for Panchayats was incorporated. The Second Phase is the Community Development Programme launched in 1952. But here again it must be noted that the people were involved only as beneficiaries and not as participants in the decision-making process. The Third Phase occurred with the introduction of the Panchayat Raj Institutions in the year 1959.

2.1 Therefore, it is clearly envisaged there is a definite need for a dialogue and National Debate on the operational aspects and value concepts of Democratic Decentralisation before any new thrust is made. What really is called for is Local Participation or in other words, the People's Participation in the decision-making process and real devolution of authority to the local-level bodies.

The Latest Decision of the Govt. of India:

3.0 A Government of India latest decision that I read with great interest in a very recent I.I.P.A. News letter (Volume XXXI, Dated August 1987) was that the Government of India has planned to involve the Panchayati Raj institutions in the process of Plan formulation and Implementation for both Block-level and District-level Plans. Here I am happy to relate that way back in 1971-73 as Member Secretary of the Task Force on Rural Development including Rural Housing of the State Planning Commission of Tamil Nadu. I had the pleasure and privilege of already implementing the above mentioned process in a way, which is briefly narrated below. Those who are interested may write to me for more details.

4.0 The Success Story of the Democratic Decentralisation
in Planning in Tamil Nadu:

As Member Secretary of the Task Force of Rural Development in the State Planning of Tamil Nadu during 1971-73, I requested all Block Development Officers to meet the Panchayat Officials and non-officials and ascertain in detail, the Socio-Economic requirements of every Panchayat in their respective areas. Based on the Information collected with a help of the Panchayat-level officials and non-officials, the village munsif and the village karnam, every Block Development Officer prepared a his Block Development Plan. The Block Development Plans thus prepared were again discussed with the representatives of all Panchayats comprised in the Panchayat Union/Block Development areas. Prof. Dr. V. Shanmughamundaram, Member in-charge of Rural Development in the State Planning Commission and myself as Member-Secretary of the Task Force on Rural Development held several such meetings with the villagers at several villages in each district and ascertained their view points on their Socio-Economic needs and also told them about the broad details of the Block Development Plan prepared. Due to constraints of time and space, the Member and I could not visit all the fourteen thousand and odd villages in the State. But I visited at least one or two representative villages in every Taluk. The Block Development Plans prepared were sent on to our District Planning Officer at the District Headquarters in the Collectorate. I must say that though the District Planning Officer's Office was located in the Collectorate for the sake of convenience, he worked over under the administrative and technical control of the State Planning Commission. The Collector of the District was involved as Chairman of the District Planning Committee and the District Planning Officer was the Committee's Member-Secretary. The District Planning Officer prepared the District Rural Development Plan for each Development District (a Revenue District Comprised of two or more Development District areas of the Revenue District

based on the related Block Development Plans prepared by the Block Development Officers in the concerned areas. These Reports (Development District Rural Development Plan) were sent on to me at the State Planning Commission Headquarters in Madras. I made use of these Development District Rural Development Plans to the extent necessary and feasible in my Perspective Plan for Rural Development for the State. This was indeed an attempt at multi-level Planning and its integration, but I would request everyone to appreciate that these were indeed very pioneering efforts in the early seventies and therefore there were many handicaps and difficulties in their processing. But our District Rural Development Plans prepared and the Perspective Plan prepared for Rural Development for the State as a whole even to-day continue to be treasure-houses of authentic information on the rural development needs of the areas concerned. For obvious reasons, these Perspective Plans cannot be "Operational Plans". They are Perspective Plans for a long period of ten years. But these Plans helped us greatly in preparing the Five-Year Plans and the Annual Plans on a more scientific basis than they were done in earlier times. "The Report of the Task Force on Rural Development including Rural Housing (1974-84) entitled "TOWARDS A PROGRESSIVE RURAL TAMIL NADU" was printed and published in June 1973 and copies of the book were released to the press and the public to ascertain their views. The copies of the Report were also sent to all major public libraries in the Country and to all Universities, and Colleges in the State which had post-graduate courses in Economics. Thus the views of the public were elicited and they were made use of in due course in preparing the Perspective Plan for the State. Both academicians and administrators in this country and abroad had highly commended the Report on Rural Development prepared by me. Subsequently, we also organised in the State Planning Commission, a Seminar on Social and Economic Planning for Integrated Rural Development in the year 1976 and I had the privilege to be designated by the Government as its Organising Secretary and I also edited the "Seminar Papers and Proceedings", which had also

been since published by the State Planning Commission. It is a priced publication and is available for sale at State Govt. Publications Depat. Anno Sebi Madras-600002. Thus Tamil Nadu can legitimately claim that a sincere and successful new effort and thrust had been made way back in the seventies itself in Democratic Decentralisation in the area of Planning at the Block and District-levels. Those who are interested may refer to the books "Towards A Progressive Rural Tamil Nadu" - Report of the Task Force on Rural Development including Rural Housing (1974-1984) published by State Planning Commission, Exhilagam, Madras - 600005 in June 1973 and the "Seminar Papers and Proceedings" of the Seminar on Social and Economic Planning for Integrated Rural Development, published by the State Planning Commission in the year 1985. Copies of these books are also available in all important public libraries in the country. The library of the I.I.P.A., New Delhi has also got a copy of the book towards a Progressive Rural Tamil Nadu mentioned above.

5.0 In conclusion, I may say that Public Administration must have to play a more positive and creative role in Democratic Decentralisation without merely doing lip service. If Democratic Decentralisation should really take place, there is need to stimulate Developmental Activities outside the Government Sector in a more effective way and to strengthen and activise local Government institutions without making in-roads into their powers. There is also need to encourage voluntary bodies to actively participate in Development Work. In brief, the Local-Government Institutions, the Private Sector and the General Public must be fully and effectively involved in planning, the decision-making process and implementation of all developmental efforts. I may also recall in this context what Mr. P.R. Dubhashi, the former Director of the I.I.P.A., New Delhi said in the Annual Conference in October 1983. Functions and Problems of Indian Policy - Proceeding of the Twenty-Seventh Annual Conference of Members of the IIPA (October 8, 1983), pp.2-3. He said that the Indian Polity was

indeed a Polity functioning at Five Tiers. The Constitution mentioned only the two Tiers - the Centre and the State. But the tiers of Local Polity at the District, the Block and Taluk levels and ultimately the Village-level, where lived the majority of the people of the Country should also be constantly remembered and encouraged to play their legitimate role without the Centre and the State making in-roads into their areas and powers. Therefore, the New Thrust shall be towards the realisation of this objective. This apart as between the Centre and State itself there are several problems relating to Democratic Decentralisation. These problems will continue to loom large on the political horizon of the country in the years to come also. But I am not touching in my paper any aspects of this Centre-States area, and as I had emphasized earlier, my paper confines itself to the other important tiers of Indian Polity, viz., the District, the Taluk, the Block and the Village levels, where the New Thrust in Democratic Decentralisation is a matter of urgent necessity.

The Success Story from Tamil Nadu that I had narrated above lends support to my plea that effective action in that direction is quite possible and feasible.

INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
NEW DELHI.

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

- N.K. Prasad
Member, Executive Council
Delhi Regional Branch of I.I.P.A.
& Commissioner of Payments for Maruti Ltd.,
Ministry of Industry.

India is a land of villages. A large majority of the people live and work in the rural areas. In the course of the long history of our country, an autonomous social and economic system developed. It is for this reason that in the ancient times, the village life was not very much disturbed by political changes in the Central authority. But this decentralised organisational set-up was basically altered when the British rule came.

2. The development of our country is vitally linked up with the development of the rural areas -- their agriculture, industry, health, education, social security etc. During the freedom movement, Gandhiji fully realised this position and accordingly emphasised upon the need for developing decentralised rural life. He said, "Centralisation as a system is inconsistent with the non-violent structure of society, because centralisation cannot be sustained and

defended without adequate force." According to him, the ideal society is a Stateless democracy where social life is so developed as to have become self-regulated. The village to him was a manageable small group of people constituting a unit of Society (of about 1000 souls). As Gandhi's village was to be self-governing autonomous community, he considered it necessary that it should be self-sufficient in the matter of vital necessities - food, clothing, shelter, (self-sufficiency in these matters was necessary for another important reason too: economic decentralisation conceived as a measure to prevent concentration of wealth and economic power).

3. Gandhiji's village was not exclusively agricultural society: there had to be a balance between agriculture and village industries. He spoke of urbanising the villages and ruralising the town and cities. He felt that an economic order that is just and humane, has to be decentralised. He described village self-government as under:-

"My idea of village Swaraj (Self-government) is that it is a complete republic independent of its neighbour for its vital wants and yet inter-dependent for many others in which dependence is a necessity. Thus, every village's first concern will be to grow its own food crops and cotton for its cloth. It should have a reserve for its cattle, recreation and playground for

adult and children. If more land is available, it will grow useful money crops. It will have its own water works ensuring clean water supply. As far as possible, every activity will be conducted on a cooperative basis. The government of the village will be conducted by the Panchayat of five persons, annually elected by the adult villages, male and female, possessing minimum prescribed qualifications. Since there will be no system of punishments in the accepted sense, this Panchayat will be the Legislature, Judiciary, and Executive combined to operate for its year of office."

But unfortunately Gandhiji did not live to implement his ideas of decentralised democratic village life and economy.

4. After independence, planned development was conceived through five year plans. The First Five Year Plan proclaimed that planning for a sub-continent like India has to be a multi-level process if it is to be meaningful, it would, therefore, be inevitable to adopt a policy of decentralisation in plan formulation as well as in plan implementation. However, the reality has been contrary to the declared philosophy. Centralisation has been the key note of our planning. This tendency became particularly noticeable during the Fourth and the Fifth Plans. The result was that priorities became skewed. Community-building, rural-oriented, short-term utilitarian development

programmes have been sacrificed at the altar of prestigious power projects, long-gestation, money-consuming major irrigation schemes and impressive, concrete, monolithic structures. Hence, the need for giving a new thrust and reorientation to our planning with the twin objective of decentralisation and full-employment.

5. However, the presence of a few cases in decentralised democratic planning cannot be denied. Examples which easily come to our mind are the programme for drought prone areas, the hill area programmes, the tribal sub-plan, the experiments for the benefit of small and marginal holders and landless labourers and above all, the remarkable and concrete district planning exercise.

6. In 1957, Belwantray Meheta Committee recommended a particular organisational structure of "democratic decentralisation", for carrying out development programmes in rural areas. The Committee recommended setting up of an organically linked three-tier structure at the district, block and village levels. It also proposed an Official set-up for each tier commensurate with its functions and availability of resources. The main unit of planning and execution of various development programmes was to be the block. The Collector was to act as the leader of the district level team. To ensure necessary coordination between the Panchayat Samities, a Zila Parshad should be constituted consisting of the President of the Samities, M.L.As., M.Ps. and

the district level officers. The Collector will be its Chairman and one of his officers will act as Secretary. B.D.O. was to be the Captain of the Extension Staff at the block level. S.D.O. will have supervisory control over the B.D.O. The functions of the village Panchayat will be both municipal and developmental. The Panchayat Samiti would undertake all types of developmental activities and would also approve the budget of the village Panchayats.

7. As per the recommendation of the Mehta-Team, most of the States made the block the unit of planning and execution of different development programmes. However, Rajasthan was the first state to introduce panchayati raj in 1959 on the pattern suggested by the Mehta-Team. In 1964, Shri T.N. Chaturvedi on the basis of his study in Rajasthan has concluded that the introduction of Panchayati Raj as people's institution has created new hierarchies among officials and non-officials leading thereby to tensions between the two.

8. In Maharashtra, another Committee (Naik Comm-ittee) was constituted to suggest a suitable pattern of Panchayati Raj for the State. The Committee recommended a different pattern, the main features of which are as under:-

- (i) Exclusion of the M.Ps., M.L.As., both from the the Panchayat & Zila Parishad.
- (ii) Exclusion of the Collector from the Zila Parishad.
- (iii) Co-option of members has been scrupulously avoided.

- (iv) There is clear democratisation of the district administration in two spheres - development administration and regulatory activities.
- (v) Maximum devolution of powers at the district level and the intermediary body.
- (vi) Devolution of resources. The Zila Parishad and Panchayats have powers of Taxation. The entire land revenue has been allotted to Panchayati Raj bodies, apart from the financial assistance through rationalised system of grants-equalisation grants, purposive grants, deficit assistance grants, matching grants, incentive grants etc.

Technically, this pattern consists of only two tiers, i.e. the Zila Parishad and the Village Panchayat. The Naik Committee suggested that a vast majority of the schemes and functions handed over to the local bodies could effectively be performed only at the district level. According to the Committee, the administrative structure at the district level should be that of a miniature, State Maharashtra introduced this pattern.

9. Punjab, Gujarat, Andhra Pradesh, Tamil Nadu, Madhya Pradesh and other States introduced different Panchayat Raj set-up. Studies conducted by Sinha and Jain in 1974 revealed that where-ever village panchayats had been given adequate powers and resources, their performance was satisfactory in the field of agricultural development.

10. In different States, different Committees were set up to study the subject and to suggest suitable pattern of panchayati raj. For instance, Raju Committee in Andhra Pradesh

in 1967 (which evolved a new body called Zilla Development Board), the Parakh Committee in Gujarat in 1960 (which recommended the establishment of a strong popular body at the district level); the Konda Basappa Committee of Karnataka in 1963 and the Rammurthy Committee of U.P. in 1965. In Rajasthan, the Panchayati Raj pattern was reviewed by Sadiq Ali Committee in 1964 and by Vyas Committee in 1971. Most of these Committees have recommended a strong body at the district level.

11. The Ashoka Mehta Committee on Panchayati Raj Institutions (1978) rightly observed that if the Panchayati Raj Institutions have failed in the past, that does not mean that these have to be scrapped. Rather, the faults should be detected and sought to be removed. The success of the endeavour needs integration of efforts both horizontally and vertically. With this end in view and in order to give a new and desirable thrust to democratic decentralisation, the following suggestions are made:-

- (i) We should have a uniform administrative pattern at the district level so far as the main frame-work is concerned, as we have a uniform administrative system at the State level.
- (ii) There should be a uniform broad structure of development administration with specific autonomous powers. This would facilitate its constitutional recognition. Grassroot institutions, in spite of being considered a pillar of rural democracy in India, unfortunately lack constitutional protection.

- (iii) The four important pre-requisites for success of the scheme are - (a) motivation, (b) management inputs, (c) finance, and (d) infra-structure. So arrangements should be made for meeting all these requirements in the decentralised organisational set-up.
- (iv) The persons required for the implementation of various programmes of rural development have to be very carefully selected. Too many square pegs in round holes has been the undoing of our development programmes. The attitudinal syndrome is most important in rural development. Hence, if necessary, a new Rural Administrative Service should be constituted. The rural development bureaucracy is nearly 100,000 strong.
- (v) It is necessary to create a sort of "development control room" at the district level. The functions would be to:
- (a) intercept development funds,
 - (b) undertake planning, (c) projectise the different programmes, (d) evolve organisational support, (e) arrange training programmes for personnel development, and (f) regularly monitor implementation on the ground.
- Communication and negotiations with higher levels such as the State headquarters and the Union Government agencies will be meaningful only when a Control room of this type will take firm command of the field level operations.
- (vi) The dual system of field administration with the Collectorate and the panchayati raj institutions is theoretically untenable and practically cumbersome. In practice also, the duality creates problems of coordination. The prospect of unified, elective and popular units at the field level in the future would depend on the political choice at the higher levels between "field administration" and "sub-State government". Therefore, for effective functioning of the panchayati raj institutions, a proper climate for genuine decentralisation at all levels is necessary.

- (vii) The panchayati raj bodies should not be superseded on partisan grounds. If supersession becomes inevitable, these should be replaced by the elected ones within six months. The panchayati raj election should be conducted under the supervision of the Chief Electoral Officer in consultation with the Chief Election Commissioner.
- (viii) The organisational set-up at the district level needs to be strengthened. In fact, a miniature State Government set-up should be organised at the district level. In this matter, the recent experience of the Government of Karnataka to post Deputy Chief Secretary at all the district headquarters is worth giving a trial and the result of this experiment should be watched with interest.
- (ix) The philosophy of decentralisation is relevant not only for the rural areas, but also for the urban areas, where Municipal Corporations, Municipal Committees, Notified Area Committees and other similar organisations manage the affairs. In these bodies also, there is need for introducing genuine democracy and decentralisation. The practice of superseding these bodies on one ground or the other is not desirable and must be discontinued. In the State of Haryana, elections to Municipal Committees had not been held for many years and only recently, elected bodies have taken over charge.
- (x) The success of democratic decentralised set-up depends basically on the economic system prevalent in the country. In India, the most difficult problem being faced in the rural areas is that of unemployment. The solution to this problem lies only in the development of cottage and small-scale industries in the villages. For this reason, Gandhiji always advocated the cause of self-sufficiency in the villages. But the present economic system does not allow cottage and small-scale industries to grow. Cloth is produced by big factories. Even ordinary consumer goods are run by the few Industrialists. These units can't provide employment to large number of people, although they need heavy investment of funds. Therefore, unless the economic

system is changed and the production of
clothes of daily use and of other consumer
articles is entrusted to small scale coopera-
tive units in the villages, mass scale
employment cannot be generated. Without
adequate financial resources and productive
activity, the Panchayati raj bodies at the
grass root level cannot succeed and
flourish.

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NEW DELHI

THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

BY

S.P.Perumal,
Director of Town Panchayats

From the dawn of history, almost all the civilised countries in the world have had some form of Governmental Administration. India is no exception to this general rule though a Centralised Government for the entire country came into being only after the advent of the East India company. As the political power and responsibilities of the East India Company increased gradually with annexation of territories leading to the emergence of the British as a Paramount power the organisation of administration was adjusted and oriented to secure the consolidation of authority, and the maintenance of law and order.

The year 1858 was a major watershed in the evolution of Governmental Administration of our country. That year saw with the passing of the Government of India act 1958, the bringing of our country under the direct rule of the British crown and the birth of a full fledged and competent centralised administrative machinery largely based on the British Houses of Parliament. A specialised Civil Service with enormous prestige and vested with significant power and authority in the higher echelons of service also came into being.

Even after the passing of more than two centuries the general principles of the administrative system as evolved by the British over the years still continue to be in vogue in the Centre as well as in the States.

The greatest achievement of India after independence was on the administrative front. The Britishers had left behind a team of trained and experienced administrators. In India we had

the advantage of experienced and devoted men belonging to the Civil service to administer the country. For these the country is greatly indebted to Sardar Patel the iron man of India.

The inception of development of planning in India, there has been an emphasis of decentralisation. During the fourth five year plan the National Planning Commission issued detailed guidelines to the State Governments as to how district and block plans have to be prepared. The Seventh Five Year Plan has laid stress on decentralisation of planning and people participation in development. Yet the fact remains that even to-day micro level planning has not taken firm roots in India. The State and national plans are not aggregation of block and district plans. Hence District and block plans do not reveal how local resources can be used.

Micro level planners should be familiar with the rural scene including the socio-economic conditions of the poor. They should have spent a reasonable period of time in the Villages. They should have the planning capability be able to analyse the socio-economic and ecological characteristics of the planning unit to identify and translate the basic needs problems and aspirations of the people into the objectives of the plan to indicate appropriate strategies and policy measures and know priorities. They should have constate feed back from the local people.

So far as the Regional Planning run by the architecture and planning schools in the country lay more emphasis on spatial aspects and less on socio-economic aspects of planning. This is so far as academic learning is concerned. On the other hand the functionaries actually engaged in planning are not familiar with the concepts, methodologies and techniques of planning. At the technical level therefore there ought to be a happy blend of spatial and socio-economic dimensions of planning with due understanding of gross root of problems of development and a administration.

India after its attainment of independence wanted to give priority for the upliftment of Rural masses. Hence several schemes were formulated for helping the villagers. Firka Development Scheme was formulated at the earlier stages for Rural Reconstruction activities in select areas in each District. The response of the people's participation was found to be more encouraging and thus the scheme was expanded as Rural Welfare scheme with provision of Funds for Water Supply, Roads, Social Education etc. These schemes and similar to this, on different nomenclature. Rural Welfare Activities were going on in the country. Then there came a national thinking and approach and the Government desired that there should be an all round coverage of providing all amenities in every village of the country entirely. Thus National Extension Service Scheme was launched for the entire country on 2nd October 1952 with about Rs.7 lakhs per block for providing Water Supply Communications, Agricultural and Animal Husbandry Schemes etc. During the course of operation of this mighty scheme the people's participation with their contribution both in cash and kind was in its heights and there came the urge from the people and pressure from all political quarters for extending the project to every constituency. So a phased programme for implementation of all Rural Welfare Scheme was worked out and launched in the name of C.D. Programme covering the entire country. This scheme provided all help to the Rural Community with all schemes covered under National Extension Service Scheme and in addition expanded health activities. During the course of operation there was increased agricultural production, improved cattle wealth, economic activities under co-operative field, village achieving self sufficiency in the food front and employment opportunities for more number of people and improved standard of health among rural people. Training activities were provided for man, women and youth by organising mass scale training camps imparting

everyone of them the knowledge under improved environmental sanitation and better child care. Since the people's participation was largely felt, it was felt a democratic approach should be therefore implementing all C.D. activities centering round on certainin nucleous organisations like Villa ge Pt. Village Co-operatives village school and Village Institutions, like Youth Clubs etc. and Madhar Sangams. To achieve this a national committee was formed under the Chairmanship of Shri Balwantrai Mehta. The findings of this committee resulted in the formation of Panchayat Acts in every District based on the population. Each Block covered a population of 70,000 to 1 lakhs with an average of 40 to 50 village Panchayats. A group of village Panchayats constituted a Block. Approximately 20 to 25 blocks constituted the District. Every state formed a State Development Council. Every block had its own Panchayat Union Councils. Every Panchayat had its own elected representatives from identified work in their respective jurisdiction. The object emphasised is increased production of food materials and to decrease the size of population in the country. The People's representatives with the assistance of these local bodies were charged with the responsibility for achieving this twin objectives. This has percolated to the last man in the village society and created an awareness with a constructive competition drive from one block to other. Procedures were evolved for augmenting the Village Panchayats income through Taxation of House Tax, Professional Tax, Vehicle Tax, Special Water Cess, if necessary etc. Every Block otherwise name, as Panchayat Unions were given specific Grants for village works programme, Agriculture, Animal Husbandry, Social Education, Health components besides the receipts through Taxation like Dangerous and offensive Trades, certain portion of Local Cess, Local Cess surcharge stamp duty etc. Hence Programme of C.D. which began in a modest way on October 2, 1952 has already covered the entire

country benefitting 5,58,000 villages. It was not be exaggeration to claim that nowhere perhaps other than Indian has the concept found and deeper and wider application. All the programme encompassed under these schemes like agriculture, Animal Husbandry Irrigation Co-operation, Public Health, Social Education, Communication, Water Supply, Village Industries Panchayat and Local Self Government have all in fact claimed its victory or progress year after year. The programme has also created an awakening among the people who were stepped in reaction interita and superstition.

During the long struggle for independence Indian leaders repeatedly promised the people who had lived for centuries under deep poverty disease and ignorance that with independence the new Government and its resources would be mobilised and directed towards removing the condition of poverty. As promised these developmental programmes had proved way for better life in the rural areas with improved living conditions better health and lessor mortality among children and small family. India is proud as a developing nation was able to provide all the people clean water better roads facilities, electricity better houses, sanitation schemes and drainage facilities and more employment opportunity to rural women and youths. Vocational training for educational unemployed on various trades and skills has resulted in more employment opportunities under both public and private sectors National Extension Service Scheme have been provided for the improvement of the village but they have not on the development of individual family. The new schemes like Integrated Rural Development Programme are now come with the uplift of the poor, weaker sections of the community. Hence, the planning has to be shifted to community to individual growth and our past experience revealed reorientation of schemes like National Rural Employment Programme, Integrated Urban Development Programme, Rural Landless Employment Guaranteed Programme etc. were

formulated and is being implemented. Under National Rural Employment Programme thousands of Agricultural rural men and women who are not having work during the non-agriculture season given employment with rice and cash as a source of income.

Loans to farmers for irrigation social conservation improving cattle wealth from Nationalised Banks have resulted in the increase of living standards of the rural people. All said and done it cannot be denied that our field workers in the rural areas still face problems while operating certain components under developmental activities due to disunity among the community petty misunderstanding among the local leaders certain stray cases of particular community exercising its influence over the weaker sections of the people.

In all spheres of activities particularly the Rural Development the needs of the villages are looked after by the Village Panchayat/Town Panchayat. The block level planning and development is looked after by the Panchayat Union, set up. Likewise the development of the District is looked after the District Development Council. Now the District planning is entrusted to the District Rural Development Agency with effect from 1980 in all over India. The District Rural Development Agency is formulating all the drought schemes for entire district with the help of the own planning body which consists of technocrats from various department like Agriculture, Animal Husbandry Co-operation, etc. The proper planning is formulated and executed with the help of the elected local representative of the Local Bodies. The active participation of the public is involved in the Development of the village level block level and District level. To make the democratic to be more viable and useful the delegation of powers should be given to them for discharging their duties freely without any fetters, from centralised system of administrative set up at the state or at the central level.

The father of the Nation Mahatma Gandhi envisaged that India lives in villages as such villagers should be given more freedom for deciding their destiny to march towards the prosperity and welfare of the community.

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Panchayati Raj - Delegation, Integration or
Decentralization

BY

Dr. Marina Pinto
Reader in Public Administration,
Deptt. of Civics and Politics,
University of Bombay.

Panchayati Raj in the 1960s was heralded as a political revolution. It brought democracy to the door steps of the people and ensured their participation in developmental activity. Originally called democratic decentralization, it was christened by Pandit Nehru as Panchayati Raj to underline the fact that "It is a system, a style of government of the State", a process meant to awaken the people's political awareness and to afford new springs of inspiration and support for their developmental and welfare activities.

Free India stood by participative democracy. Article 40 of the Constitution of India enjoins upon the state to organize village panchayats. Our first 5 Year Plan mooted the question of re-organizing rural local government institutions and the second 5 year plan emphasized the need for creating within the district a well-organized democratic structure of administration. To begin with, a Community Development Programme was launched on 2nd October 1952. But it soon turned out to be not a people's programme but that of government. It was actually in the study of the Community Development Programme that the idea of Panchayati Raj was born. In 1957, a Study Team on Community Projects and National Extension Service (called the Balwantrai Mehta Committee) was appointed

by the Government of India to examine the Community Development Programme. It endorsed the principles mooted in the second plan and recommended a three-tiered arrangement of democratic decentralisation. Soon panchayati raj institutions with varying patterns, came to be established all over India. By 1985 there were over 2,17,300 village panchayats covering 92 per cent of the rural population. There are 4526 Panchayat Samitis at the Block/Tehsil level covering 88 per cent of the blocks in the country. There are 330 Zila Parishads covering about 76 per cent of the districts in the country.*

The story of the ups and downs of Panchayati Raj was brought out by the Asoka Mehta Committee (1977). It indicated 3 phases - that of ascendancy 1959-1964; stagnation 1965-1969 and decline 1969-1977. The decline and decay has continued through the 1980s as well. The reasons for this state of affairs are not far to see. In most states, the state Government has not relinquished control in the vital areas of planning, decision-making and funding. As the Asoka Mehta Committee put it, "It is the vastness and growing complexity of developmental programmes that has sometimes been used as an excuse for by-passing the PRIs in the name of their structural inadequacies without PRIs being entrusted with these challenging tasks.**

* Data collected from Report of the Committee to Review the existing Administrative Arrangements for Rural Development and Poverty Alleviation Programmes, (CAAD) called the Rao Committee, appointed by the Planning Commission, Deptt. of Rural Development, Ministry of Agriculture, December 1985, p.40.

** Report of the Committee on Panchayati Raj Institutions 1978, p.5.

On the administrative front, the failure could partly be explained in terms of the power-cum-development politics which has bedevilled official, non-official relations. As the Asoka Mehta Report continues: "The officers would feel that they are primarily accountable for results and financial proprieties to the State Government. The officials knew no better than to trust their own fraternity. They would, on the one hand, therefore, be averse to PRIs being entrusted with additional functions and on the other would not easily get adjusted to working under the supervision of elected representatives".* The officials cling to power and exercise control for the sake of efficient and effective administration while the non-officials, in the name of democracy, meddle in administration and show scant regard for technical expertise. One is painfully aware of role-transgression and role-aggrandizement, both resulting in conflict situations. As Zia Uddin Khan succinctly put it, "We hear too much of non-officials handling of the officials. In the sphere of Panchayati Raj, we need knowing the official handling of the non-officials."** The situation is further compounded by the social, economic, educational and traditional differentiates.

State Governments for whatever reason, often postpone the holding of elections or supersede some of the important tiers of PRIs. Political elite at state level is not enamoured of these institutions. Instead of strengthening the democratic process at grass-roots, state-level politicians

* Ibid. pp.5,6.

** Zia Uddin Khan, "Panchayati Raj and Democracy" in Panchayat Raj, Planning and Democracy, ed. by M.V.Mathur and Iqbal Narain, p.272.

perceive a threat in emerging Panchayati raj has given a their position. Paradoxically, panchayati raj has given a new lease of life to entrenched vested interests. Political factionalism, corruption, inefficiency, casteism and parochialism are rampant. No wonder it has been described as the God that failed or a caricature of local government.

Panchayati Raj is an institutionalised mechanism for rural development. It is also a logical extension of the democratic framework. Its twin objectives are, therefore development and democracy. A crucial challenge is to seek an equilibrium between the demands of development and the pressures of democracy. Where the state focus is on local democracy, panchayati raj is viewed primarily as a system of local self-government. Accordingly, it is sought to be given the constitutional status as the third and independent tier in our federal polity. This is the position in Karnataka to-day. States like Maharashtra, view Panchayati Raj largely as an agency of the state government, operating in its shadow and under its control. While the former view emphasizes self-government, the latter upholds good government. It is not a question of either this or that, that must be sought, but a syncretic concept of panchayati raj, a deft combination of both.

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some
respect.

While Maharashtra and Gujarat have been singled out for high praise for going farthest in the direction of democratic decentralization, in reality it is not so. Karnataka has overhauled its system in the 1980s to effect not an incremental advance but a quantum leap. Andhra Pradesh is not far behind. Both these states have adopted the Mandal Panchayat tier as recommended by the Asoka Mehta Committee. Let us examine these two models and relate them to the pattern in Maharashtra.

Karnataka: To begin with, Karnataka had the three tier system with the Panchayat, Taluk Development Board and a District Development Council. From a position where the Village Panchayat was the primary tier and the District Development Council perhaps the least powerful district level body in the whole country, the reverse is now true. So, whether by accident or design, in all the three states studied, the District has emerged as the most powerful unit. The question is - Does this power accrue to the Zila Parishad or is it side-tracked by the state or a state dominated agency? The Karnataka model is very significant because it has effected a major and genuine devolution of power and authority on Panchayati Raj institutions. This is in keeping with the Janata Party's election manifesto to give top priority to the idea "Power to the people".

The Karnataka Zila Parishads, Taluk Panchayat Samitis, Mandal Panchayats and Nyaya Panchayats Act came into effect in 1985. The Act brings in 3 tiers - the Zila Parishad, Taluk Panchayat Samiti and Mandal Panchayat with the Gram Sabha at the village level and Nyaya Panchayat at the Mandal level. The two significant levels are the Zila Parishad and the Mandal Panchayat which have effective power to plan and execute developmental and welfare programmes. The Taluk Panchayat Samiti consists of ex-officio members of the taluk under the local MLA and is expected to supervise and co-ordinate the activities of Mandals and act as an executive agent of the Zila Parishad.

The Zila Parishad is a body corporate like the mandal panchayat and is composed of elected, associate and nominated members. It brings in MPs, MLAs and MLCs. 25 percent of the seats are reserved for women. Seats are also reserved for SCs and STs on population norms. The Adhyaksha and the Upadhyaksha are elected from amongst the members of the Zila Parishad for a 5 year term. Their salaries are the equivalent

of that of Minister of State and Deputy Minister respectively. The Chief Executive Officer is called the Chief Secretary and is of the rank of a Collector and is appointed by the Government.

Funding, planning and executing activities are vested in the Zila Parishad. Its most important function is formulation and execution of district plans. It works through nine Standing Committees which are largely development oriented. One of them, the Social Justice Standing Committee promotes the interests of SCs, STs and BCs.

The Zila Parishad has been invested with wide powers of monitoring and control over the functions of mandal panchayats. It can issue an informal writ of mandamus compelling an erring Mandal Panchayat to perform its duty. It can suspend or prohibit the doing of an act by the Mandal Panchayat if it is 'unjust', unlawful or improper. But such an order must be approved by Government. It can even dissolve a Mandal Panchayat.

Although the Act does not make clear the *modus operandi* at the district level, according to Abdul Nazeer Sab, the Minister for Panchayat Raj, it will be a Mayor-in-Council type of government. In his own words, "Although we have suggested a Mayor-in-Council type of set-up in terms of what we call the law, there is also another aspect; the combination of committees. In the committee's day-to-day administration there will be no interference by the President".*

The key role of the Chief Secretary of a Zila Parishad must be recognised. He will be the link between the Zila Parishad's bureaucracy and its elected wing. He will also be a link between the Zila Parishad and the State Government.

* As quoted in Panchayati Raj in Karnataka Today ed. by George Matthew. Institute of Social Sciences, New Delhi, 1986, p.61.

He will be the chief co-ordinator at the bureaucratic level between the various sectoral departments. He will be the chief supervisor to see that the whole machinery at the Parishad level ticks.

While in general, about 90 per cent of the Panchayati Raj resources come from the State Government and only 10 per cent are raised locally, Karnataka has decided to eventually make it 50 per cent from the State and 50 per cent from domestic resources. To quote Nazeer Sab again, "Our State annual plan is of the magnitude of Rs. 650 crores. The resources and the schemes we are transferring to the Zila Parishads and Mandals will be of the order of Rs. 300 crores (i.e. annually about 40 percent). And this is only for the plan schemes. We are thinking of transferring non-plan schemes also and will take a decision soon on this because we are committed to it."* The Act also provides for a Finance Commission, an expert body, at the state level, which will decide on the future division of economic and other resources.

The Karnataka idea is to bring all the district developmental departments and agencies under the purview of elected representatives. Till now, the Collector was all-powerful and supreme. With administrators wholly accountable to elected representatives, it is to be seen how the system operates in practice. The whole planning process is integrated at the district level. At the same time, there is to be an inter-district council at the State level consisting of the Chief Minister and all Zila Parishad Chairmen. Thus, while there is operational autonomy for local bodies, this is balanced by institutions like the inter-district Council, which promotes coherence. In this way, the move towards more decentralization is coupled

* Panchayati Raj in Karnataka To-day, Op.Cit., p.54.

with a move towards cohesion so that local echelons can function freely but within an "overall vision jointly conceived and continually updated". But these moves are limited to the development field only wherein Karnataka will be the first state to function as a federation of districts.

The Mandal Panchayat is a wholly elected body of about 20, with seats reserved for women, BCs, SCs and STs. It has obligatory, discretionary and transferred functions. It works through a Production Committee concerned with agriculture, animal husbandry and rural industries; a social justice committee to look after the interests of the weaker sections and an Amenities Committee to oversee education, public health and public works. Funds are provided by the State Government or the Zila Parishad. The Government is to make a grant at the rate of Rs. 10 per head outside plan resources. Out of this 75 per cent remains with the mandal Panchayats and 25 per cent goes to the Zila Parishads. The Mandal Panchayat is meant to be the effective second tier. Yet, its range of functions is limited and it is subject to strict supervision by the Zila Parishad.

The Karnataka model has effected a radical structural change in Panchayati Raj. It has vested funding, planning and executive powers in the Zila Parishad. It is expected to be given taxing powers in due course of time. It has made the elected representatives all powerful. This arrangement needs to be backed by a constitutional amendment recognizing the district as an independent third tier in our federal system complete with a local list of subjects, separate and well-defined sources of income and separate local personnel as well.

Andhra Pradesh: This state introduced Panchayati Raj on 1st November 1959, a month after Rajasthan. Both states, in keeping with the Balwantrai Mehta Committee recommendations have the Panchayat Samiti as the most important level of decentralization. A close study of the Andhra Pradesh system indicates that for

all practical purposes, it is not so much decentralization as integration and the district is still all powerful.

To make the Panchayati Raj institutions play an important role in the overall economic development of the rural community especially the weaker sections, certain important changes were introduced in the relevant Acts before the last ordinary Panchayati Raj elections of 1981. (i) The voting age was reduced from 21 to 18 years, (ii) Direct elections for the offices of Sarpanches and members of the Gram Panchayat and Presidents of Panchayat Samitis. Indirect elections for the Vice-President of the Panchayat Samiti and Chairman and Vice-Chairman of Zila Parishad, (iii) Reservation of elected posts for SCs and STs. 14% of the offices of the Presidents of Panchayat Samiti in each district are reserved for SCs. Further, all the Offices of President of Panchayat Samiti in scheduled areas and in other areas, these offices in proportion to the population of the STs are reserved for them. Similarly, three offices of Chairman, Zila Parishads have been reserved for SCs and one for STs in the state. Besides, three persons belonging to Backward Classes and one person belonging to minorities (linguistic or religious) and two women are to be co-opted by a Panchayat Samiti or a Zila Parishad. Elections are conducted on a non-party basis.

From the administrative point of view no significant change has been effected in the 1959 pattern. At the district level, there are two sectors of administration - state and Panchayati Raj. While the former takes care of regulatory work, the latter is in charge of developmental activity. While in Maharashtra the collector has a truncated role to the extent that he is not directly involved in Zila Parishad activity, in Andhra Pradesh the Collector controls both the state and Panchayati Raj sectors. Thus the district administration as a whole is united by bringing both regulatory and developmental departments under the charge of the Collector. He has ultimate responsibility

for regulatory departments (the direct responsibility being that of the district revenue officer) and direct responsibility for developmental departments.

With the acceptance of the report of the M.J.Raju Committee of 1967, an integrated approach is adopted regarding all developmental activities by bringing the departmental heads together in the State developmental board with the Chief Secretary as its Chairman. A similar board providing a link between the state and panchayati raj sectors is set up at the district level, with the Collector as its Chairman. The system has thus in a way, interwoven all agencies of the state, district and panchayati raj - concerned with developmental administration into an integrated one. As Prof. Muttalib has put it. "With the enhanced powers and authority of the Collector, the Government has physically come down at district level."* This has severely been criticised for it is tantamount to creating a fourth tier namely the Zila developmental board, as the all-powerful and controlling agency of panchayati raj with a senior bureaucrat, a symbol of the state government, having enhanced powers, prestige and status as Chairman. Such a board steals the thunder from the Zila Parishad, makes its standing committees redundant and belittles the role of the people's representatives.

To rectify this defect, the Zila Development Boards were abolished and the District Planning Boards which existed before the advent of Panchayati Raj were revived. The idea was that the District Planning would ensure increased participation of elected representatives and also have a comprehensive approach to formulation and implementation of Plan and non-Plan developmental activities at the District level, encompassing rural and urban

* M.A.Muttalib, "Decentralisation or Integration?" in Local Government Institutions in Rural India ed. by R.N.Haldipur and V.R.K.Paramahansa NICD Hyderabad 1970, 0161.

areas and co-ordinating the functioning of a number of developmental agencies like DRDI, ZP, ITDI and other District level autonomous bodies.

The District Planning Board which is headed by a Minister nominated by the Chief Minister will consist of the following members. (1) The Chairman of the Zila Parishad concerned who is ex-officio Vice-Chairman of the ZPB. (2) the members of the Zila Parishad specified in clauses (ii), (iii), (iv) and (v) of sub-section (3) of section 36 of the Act i.e. MLAs and MPs in the District (3) the District Collector who will be Member-Secretary (4) such other persons, not exceeding 15, as may be nominated by the Government.

In order to strengthen Panchayati Raj institutions, the Government has provincialised the services of all the Panchayati Raj employees in order to enable these institutions to spend substantial portion of their income on developmental activities.

The Government has also delegated enhanced financial powers to accord administrative sanction in respect of work/schemes taken up by Panchayati Samitis and Zila Parishads.

To bring the administration, both regulatory and developmental, closer to the people, the State Government has decided to set up Mandals. One Mandal is proposed for each group of villages with a population ranging from 35,000 to 55,000 with suitable relaxations in backward and tribal areas. The Mandals will replace the existing Taluks and Firkas for regulatory and revenue administration and replace the Panchayat Samitis in the field of development administration. As a preliminary step, 1104 Revenue Mandals have been instituted by abolishing the existing Taluks and Firkas with effect from 25-5-85. Mandal headquarters are located in identified growth centres which will provide basic and essential services to the population in the area. Proposals are now under active consideration of

the Government to bring in Mandal Panchayats in place of the existing Panchayat Samitis while retaining the Gram Panchayats at the village level and Zila Parishad at the District level.

The Andhra Pradesh model clearly shows integration. It brings regulatory and development departments under the Collector, unlike the bifurcation in Maharashtra. As in Maharashtra, so also in Andhra, there are 2 IAS officers available for district administration. In either case, the Collector is the senior of the two. The only difference being that the Andhra Collector has ultimate responsibility for regulatory departments and direct responsibility for development departments. While the Maharashtra Collector presides over regulatory departments leaving the development departments to CEO of Zila Parishad. Also, by having a state development board linked with a zila development board, all agencies of the state, district and panchayati raj concerned with development were integrated. With the District Planning Board in place of the Zila Development Board, composed very much on the lines of its Maharashtra counterpart, Andhra Pradesh is combining features of Panchayati Raj in Maharashtra with those of Karnataka in respect of Mandal Panchayats.

Maharashtra: It ushered in Panchayati Raj in May 1962 on the basis of the Maharashtra Zila Parishads and Panchayat Samitis Act, 1961 and the Bombay Village Panchayats Act 1958 (Bombay Act No.III of 1959). In keeping with the Naik Committee's (1960) recommendations, it has made the District, the most significant level of decentralization with the Panchayat Samiti functioning as its statutory regional committee. This basic structure has remained unchanged to this day despite the evaluation of the Bongirwar Committee(1970) and the P.B.Patil Committee (1984).

Maharashtra accepts the Zila Parishad as "the best operative unit of local administration". It has a membership of 40 to 60 elected Councillors and others but with no place for MPs, MCs and MLAs. It works through a Standing Committee and 7 subjects Committees. The Zila Parishad is virtually totally dependent on the State Government for its finances. The State Government provides full grants on all the schemes and works of a committed nature and gives full assistance for the administrative establishments and their contingent expenditure.

There is a dichotomy in the organizational pattern of the administrative personnel. The upper cadres of Class I and Class II are government nominees. Class III and Class IV are parishad cadres. The Chief Executive Officer is from the IAS cadre and is in overall charge. He is assisted by a Deputy Chief Executive Officer of the rank of Deputy Collector who acts as the Secretary of the Parishad. With the CEO high and mighty, he is unable to weld his colleagues into a fine team. It is not co-ordination among equals but subordination to his leadership. This situation repeats itself at the Panchayat Samiti level where the Block Development Officer is all supreme.

When one talks of local planning, one expects the local body to assess local needs and resources and work out the complete programme all within the framework or guide-lines provided by the higher level agencies. But in the name of local planning all that is done is an inventory of felt needs. Actually, there are a number of district level schemes all formulated by the state government and patterned by it in terms of content, staff and finances. It is therefore not a local plan, based on local needs and local knowledge, but a state plan for localities. This pattern of decentralization opens a Pandora's box since local functionaries are concerned with essentially distribution of individual or collective goods and services. This only multiplies avenues for corruption. Often, it leads to lop-sided development, waste of scarce resources and lack of local enthusiasm and participation.

District level planning in Maharashtra suffers from the same weaknesses. Working on the assumption that panchayati raj bodies cannot prepare realistic local area plans, this activity is entrusted to a separate non-statutory body outside the Zila Parishad called the District Planning and Development Council (DPDC). The reasons advanced for this arrangement are that the Zila Parishads are concerned with only rural areas while district planning covers a much wider area including the urban parts, and includes subjects over and above those transferred to Zila Parishads and which are administered by the State's District officers. The DPDC is a body of 30 to 40 members which brings in MPs, MLAs and others like the Divisional Commissioner, Representatives of Urban Local Authorities and Public Sector Undertakings and some nominated non-officials. It is very much like the District Planning Board of Andhra Pradesh with the Collector a powerful person and the Parishad members relegated to the background. But while Andhra Pradesh integrates regulatory and developmental activity, Maharashtra keeps them apart. So does Karnataka. But with Maharashtra unlike Karnataka, the strong arm of the state government is very much in evidence.

In fact, in Maharashtra, instead of more developmental activity being entrusted to the Zila Parishad, the move is in the reverse direction. For instance, Central schemes like Small Farmers Development Agency (SFDA) and Drought Prone Areas Programme (DPAP) or even the state's prestigious Employment Guarantee Scheme (EGS) are not brought within the purview of the Zila Parishads although they are involved in the work of implementation. The large number of orders and directions of the state Government that go along with implementation of transferred activities seriously curtail the decision-making powers of the elected bodies. Add to this the inadequacy of staff, infrequent elections, decline of Plan allocation resources and one can easily explain the decline and decay of Panchayati Raj institutions.

Some remedial action was proposed by the Rao Committee appointed by the Planning Commission when it advocated that the planning authority should be an arm of the Zila Parishad and that a planning cell should be set up to undertake planning, reviewing and monitoring work. For Maharashtra, the Bongirwar Committee recommended that the Planning Officer's post which was sought to be abolished should on the contrary be up-graded and redesignated as Deputy Chief Executive Officer(Planning) and this recommendation was accepted by the Government. The Patil Committee recommended a District Planning and Evaluation Cell under the DPDC and a District Planning and Evaluation officer under the Zila Parishad.

All said and done, it is a truism that "real planning functions have not percolated to the district level nor the Panchayati Raj institutions have been involved in the process". With decision-making concentrated at the state level and with top administrative personnel at the district, belonging to the state cadre, there is no real decentralization. The state holds on to the reins of power and has neither the political nor the administrative will to decentralise.

The Asoka Mehta Committee talked of the lack of clarity in regard to the concept of Panchayati Raj itself and the objectives for which it stands. To quote the report, "Some would treat it just as an administrative agency; others as an extension of democracy at the grass-roots level; and still others as a charter of rural local government."* Maharashtra subscribes largely to the first idea. Since development is all-important and the state government is responsible for it, Panchayati Raj is essentially a tool in the hands of the state to achieve that end. One could do no better than quote the Bongirwar Committee that manifests this thinking in clear terms: "These august authorities(Parliament and State

* Report of the Asoka Mehta Committee on Panchayati Raj Institutions, Govt. of India, August 1978, New Delhi, p.6.

legislatures) in fact and in law, are the real custodians of the people's powers some of which they, from time to time, and to the extent necessary and expedient, devolve upon the lower tiers of their limbs, elected or otherwise, without absolving themselves from the ultimate responsibility in respect of those subjects too for which also the people would always hold them accountable. Therefore, they always retain with them the final authority also in respect of the subjects transferred to the local authorities." And again, "The system has to be regarded as a structure devised within the state structure to ensure involvement of the people, at appropriate levels, in the process of development in certain specified matters and to promote a democratic way of life and to evolve administrative organizations to support and sustain the same."*

Though from time to time efforts have been made to activate Panchayati Raj institutions and remedy defects highlighted by committees, nevertheless Panchayati Raj is viewed very much as an agency of the State Government.

Undoubtedly, in Maharashtra, the Zila Parishad is important. But its importance lies, not so much in its being the top-most tier in Panchayati Raj as much as in its linkages with co-operatives and the state government. Though like Karnataka, developmental activity is separated from that which is regulatory, yet in the operational mechanisms of developmental activity one can see a significant difference. While the Karnataka Zila Parishad handles planning and executing, the Maharashtra pattern shows the controls of the state. To conclude, the Karnataka model could be described as the best attempt so far in decentralization, the Maharashtra model is still largely delegation and Andhra, though largely a model of integration is in the process of incorporating features of the Karnataka model.

* Bongirwar Committee Report, p.207.

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THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

NEW THRUST IN DEMOCRATIC DECENTRALISATION

BY

N.C. Raghavachari

The importance of Local Self Government especially in rural areas has been recognised in our country from time immemorial. In early days there was some sort of Self Government which was a success even without statute. Then with the passing of establishment of District Boards, Local Boards and Municipality, Local Government has been working quite successfully.

The creation of Village Panchayats as Self governing autonomous units of administration is logical and proper culmination in the process of Local Self Government. The recognition of the Village as a Unit of administration is an important land mark in the scheme of decentralisation and administration of a vast country like ours. The country has improved both in efficiency and purpose by creating a sense of self confidence and self-sufficiency in the several hundreds of thousands of villagers all over the country.

From time immemorial India has been the land of villages. It has continued to be so right down to the present day in spite of all the vicissitudes through which it has passed.

In old days every village was an entity by itself managing its own affairs and providing all the daily and essential necessities for the sustenance of life; the society being organised on the basis of appropriate division of labour.

In early days the village elders were the custodians of the health, wealth and progress of village. They settled their

disputes, organised for community activity and concerted action whenever necessary. The kingdom or State, was a collection of such village units administered on a highly decentralised basis. The people, imbued with a strong sense of village units, worked as one in all matters relating to their common interests and were consequently happy and contented. Simply living and high thinking were their distinctive characteristics. They were peace loving, unselfish and public spirited. Tolerance and hospitality were their watch-words. It was under these favourable conditions that Indian culture developed. The economic prosperity of the people was assured by the local self-sufficiency and the local initiative which it encouraged. Religion flourished and a system of philosophy which won the admiration of the whole world was perfected.

Then came the foreign domination, which deprived the people of their initiative and destroyed local patriotism. The foreign domination dislocated the original structure of Indian society. The taxes paid vanished into the central coffers of the Government and were being spent in ways not directly beneficial to the villages or the villager. A highly centralised administration sapped the vitality of the people. With an unnatural growth of the towns and of a more sophisticated urban population, the village lost its importance and usefulness, and the basis of economic and cultural development.

In a country like ours which is predominantly rural in character, where there is still, in our villages, a live sense of corporation unity, the village must necessarily be the basic administrative unit. It is already so in matters relating to agricultural taxation and the collection of land revenue. The next step to make every village a self-contained unit, managing its own affairs and meeting as far as possible all its needs in the matter of food and clothing by local production and

providing on its own initiative for all the social, economic and cultural necessities of the people. The need was felt for a democratic set up to administer the villages with a governmental control on important matters like finance, etc.

In 1884, the first Local Board was constituted forming more townlets rather than villages. This system did not apply to all villages and the vast majority of them were left unattended.

Then 1920, the Madras Village Panchayats Act was passed but the Panchayats under this Act, could not thrive for lack of finance and the necessary powers to execute the works.

Later, in 1930, the Madras Local Boards Act was amended bringing within its scope the Panchayats constituted under the village Panchayats Act thus placing the Panchayats on the same footing as the Unions. The supervision and control of panchayats were divided between the Taluk Boards wherever they existed and subsequently between the district Boards and the Government through the Inspector of Local Boards with certain reserve powers for the Collector.

When the Congress Ministry assumed office in 1937 an attempt was made to make this Panchayat Unions autonomous village units, but it did not succeed as before the proposals could take some concrete shape, the Ministry had to quit Office in 1939. Thus during the Advisers Regime, Madras Act XII of 1946 was passed and the new Act became Law in the same year. But the Advisers desisted from bringing it into force and left it to the popular Ministry. It was felt that a comprehensive Act giving functional efficiency in vesting the dynamic power to reorganise and control village life in all its aspects so as to ensure for the people pure drinking water, clean surroundings, healthy food and self-sufficiency

in all matters governing their daily life and immense opportunities for co-operation for their mutual welfare.

After independence to achieve those aspects by the Act X of 1950, i.e. Madras Village Panchayats Act of 1950 was passed. Under which a Panchayat for each Village or hamlet with a population of 500 and more was established, villages of lesser population was grouped with other contiguous villages and a single panchayat has to be formed for the group. The formation of Panchayats was compulsory. The residents of Village were offered to elect their representative to the Panchayat. The Panchayats was to consist of elected representative of the people, elected by secret ballot the residential areas of the village being suitably divided into groups for the purpose. The village headman will be an ex-officio member, with no right to vote in the meetings of the Panchayat.

The President was to be elected directly by the whole electorate. The Vice-President was to be elected by the members of the Panchayat. There was no reservation of seats for any community or class. However, there was provision to co-opt any person belonging to minority community or woman. The electoral roll, was provincial legislative Assembly list. The Village Panchayat was to manage all the local institutions and deal with all local matters - civic and administration. This include construction, repair and maintenance of public roads in the Village or leading to neighbouring villages; the lighting of streets and public places, the construction of drains and the disposal of drainage water and sullage; sanitation; the cleaning of streets; removal of rubbish, the provision of public latrines and the cleaning of latrines whether public or private. There was provision for protected supply of water for drinking and the sinking and repairing of wells, ponds, tanks for washing and bathing purposes and the construction of and maintenance of water works.

The Panchayat was also entrusted with the administration of civil and criminal justice; the Registration of Documents; all the village panchayat can make provision for planting and preservation of trees on the side of public roads, and maintenance of public markets, control of fairs and festivals in the village. The opening and maintenance of public slaughter houses. Improvements of agriculture and agricultural stock and the holding of agricultural shows. The opening and maintenance of public cart-stands, cattle sheds, etc., the promotion and management of Cottage industries, the opening and maintenance of reading rooms and libraries. Setting up and maintaining of dispensaries, maternity and child welfare centres. The setting up and maintenance of wireless receiving sets, play-grounds and physical culture and other measures of public utility calculated to promote the safety, health, comfort or convenience of the inhabitants of the village.

The present Act, Tamil Nadu Panchayats Act (XXXV) of 1958 came into force with effect from January, 1960, throughout the State except Kanyakumari and Senkotta Taluks under Sec.13, Madras Village Panchayats Act was repealed with effect from the date of which the Panchayat Union Council came into existence. The Panchayat Union Council under the scheme of the Act, will come into existence into State according to a phased programme in 3 batches:-

First from 2nd October 1960

Second from April 1961

Third from October 1961

Panchayat means the body constituted for the Local Administration of Village or Town under this Act.

Under Sec.3, the Inspector appointed by the Government under this Act is empowered to classify and declare every

local area possessing urban characteristics and comprising a revenue village or villages or any portion of a revenue village or contiguous portion of two or more revenue villages and having a population estimated at not less than 5,000 and an annual income estimated at not less than Rs.10,000/- as a Panchayat Town for the purpose of this Act.

Government is empowered if motion is passed by both the houses of the Legislative to declare any village or town as township if it is Industrial, Labour Institutional and health resort. In such event a function of the Panchayat would be transferred to the Township Committee.

Sec.7, provides for formation of Panchayat Unions by notification by the Government.

Under Sec.8, Panchayats will be constituted for each village and for each town.

Under Sec.10, the strength of the total number of members of the Panchayat shall be notified by the Inspector in accordance with such scale as may be prescribed with reference to population.

Under Sec.11, Panchayat Union Councils shall be constituted for each Panchayat Union and the administration of Panchayat Unions shall vest in the Panchayat Union Council. Every Panchayat Union Council shall be a body corporate in the name of the Panchayat Union.

Panchayat Union Council shall consists of a Chairman, Presidents of all Panchayat Unions and one non-member in each Town Committee in the Panchayat Union. The power is gives to the Panchayat Union Council to co-opt a woman member or a member of Schedule Caste or Schedule Tribe, if there is no member who is a woman or a person belonging to Schedule Caste or Schedule Tribe.

Under Sec.16, for the purpose of electing members to a Panchayat, the Inspector is empowered to divide the village or town into wards and determine the number of members to be returned by each ward in accordance with such scale as may be prescribed.

Sec.17: The term of Office of the members of every Panchayat Union shall be 3 years. The term of the Office of the members of every Panchayat Union Council is also 3 years.

Sec.20: provides for preparation of electoral roll and qualification of a person entitled to vote. Unless a person registered in the electoral roll of the Village is not entitled to stand for election. The age qualification for election is 21 years for a membership as well as for the Chairmanship. The Officer and Servants of the Government and Local Bodies cannot stand for election. Every residents whose name is found in the electoral roll, who is not of unsound mind who had a conviction for a offence punishable under the Indian Penal Code or under this Act shall not be entitled to stand for election.

The President shall convene meetings, shall act on the records of the Panchayat and discharge the duties specifically imposed on him by the Act.

There shall be a Chairman for every Panchayat Union Council to be elected as provided under Sec.36 A of this Act.

Government can appoint an Executive Officer under Sec.40 for every Town Panchayat. In the case of Village Panchayat Unions the Presidents of the Village shall perform the functions of the Executive Officer. The Executive Officer's functions are to attend the meetings of the Panchayat or any Committee to take part in the discussions without right to vote or move any resolution. The Executive Authority shall carryout the

resolutions of the Panchayat to control all the Officers, Servants of the Panchayat and discharge all the duties imposed on him by this Act.

Under Sec.44: This provides for appointment of Commission for each Panchayat Union Council. The Commissioner is to attend the meeting of the Panchayat Union Council, to take part in the discussions without right to vote and to carryout the resolutions of the Panchayat Union Council.

Under Sec.45: This gives a emergency power to the Commissioner for execution of any work, necessary for the wealth and safety of the public.

Every Panchayat shall submit to the Panchayat Union Council the report of its administration for each year as soon, may be up to the close of such year within the prescribed date. The report shall be prepared by the Executive Authority and scrutinised and forwarded by the Panchayat. Similarly, every Panchayat Union shall submit to the collector, the consolidated report of its administration and all the administrations of all Panchayat to the Panchayat Union for each year. The Report shall be prepared by the Commissioner in the Panchayat Union and Panchayat shall consider and forward it with its resolutions. The Collector is also empowered to prepare a general report of the Administration of the Panchayat Union Council and the Panchayat in the districts, place the same before the District Development Council and submit the same to the Government with a copy of the resolution of the District Development Council. The duties of the Panchayat is set out in Section 63:-

- a) The construction, repair and maintenance of all village roads, that is to say, all public roads.
- b) The lighting of the public roads and public places.

- c) The construction of drains and the disposal of drainage water and sullage;
- d) The cleansing of streets, the removal of rubbish heaps, jungle growth and pricklypear, the filling in of discussed wells, insanitary ponds, pools, ditches, pits, or hollows, and other improvements of the sanitary condition of the village or town;
- e) The provision of public latrines and arrangements to cleanse latrines whether public or private;
- f) The opening and maintenance of burial and burning ground; and
- g) The sinking and repairing of wells, the excavation, repair and maintenance of ponds or tanks and the construction and maintenance of water-works for the supply of water for supply of water for drinking, washing and bathing purposes.

Section 64: This gives power to Panchayat for

- a) the planting and preservation of trees on the sides of all public roads in the village or town subject to mutually agreed terms and conditions between the Panchayat and the authority which maintains the road in case of road is not maintained by the Panchayat itself;
- b) the lighting of public roads and public place in areas other than built-up areas;
- c) the opening and maintenance of public markets other than markets which are classified as Panchayat Union Markets;
- d) the control of fairs and festivals other than those classified as Panchayat Union fairs and festivals;

- e) the opening and maintenance of public landing places, halting places and cart-stands and of public cattle-sheds;
- f) the opening and maintenance of public slaughter-houses;
- g) the opening and maintenance of reading rooms;
- h) the establishment and maintenance of wireless receiving sets, playgrounds, parks, sports clubs and centres of physical culture;
- i) the opening and maintenance of literacy centres and centres for imparting social education; and
- j) the construction of works of public utility and the provision of other facilities for the safety, health, comfort, convenience, culture or recreation of the inhabitants of the village or town.

Section 65:- Subject to the provisions of this Act it shall be the duty of a Panchayat Union Council, within the limits of its funds, to make reasonable provision for carrying out the requirements of the panchayat union in respect of the following matters, namely:-

- a) the construction, repair and maintenance of all public roads in the Panchayat Union which are classified as Panchayat Union Roads and of all bridges, culverts, road-dams and causeways on such roads;
- b) the establishment and maintenance of dispensaries and the payment of subsidies to rural medical practitioners;
- c) (Omitted by Tamil Nadu Act XXVIII of 1986)
- d) the construction and maintenance of poor houses, orphanages, shops, stalls plinths, the training and employment of vaccinators, the removal of congestion of population and the provision of house-sites;

- e) the opening and maintenance and expansion or improvement of elementary schools, including the payment of grants to private managements in respect of elementary schools;
- f) (Omitted by Tamil Nadu Act XXVIII of 1986)
- g) the control of fairs and festivals classified by the Panchayat Union Council as those reserved for control by it;
- h) veterinary relief;
- i) the extention of village-sites and the regulation of building;
- j) the opening and maintenance of public markets which are classified as Panchayat Union Markets;
- k) the maintenance of statistics relating to births and deaths;
- l) the establishment and maintenance of choultries;
- m) improvements of agriculture, agricultural stock and the holding of agricultural shows; and
- n) the promotion and encouraged of cottage industries.

Other matters which Panchayat Union Council has power are set out in Section 67:-

All unreserved forests in the Village and the commencement of the Act was vested on the Panchayat to be administered for the benefit of the Village. The power to Government to resume unreserved forests and payment of compensation. All public roads in Panchayat shall vest in the Panchayat vide Sec.73. Similarly, all public roads in Panchayat Union Council shall vest in Panchayat Union Council.

All water works shall vest in the Panchayat vide Sec.84.

Under Section 87, Panchayat can regulate the use of lands which are set apart for any of the purposes namely cattle-sheds, village-sites and for common use of the inhabitants of such village or town; for communal purposes.

Under Section 99, Panchayat Union Councils may after obtaining the previous permission of Inspector, can provide places for use as public markets.

Under Section 100, the licence may be given to private market body by the Panchayat.

Under Section 112, the Panchayat Union Council can grant permission for construction of factory and to install machinery.

TAXATION AND FINANCE

There shall be a levied in every Panchayat development block, a local cess at the rate of 45 naye paise on every rupee of land revenue payable to the Government, with power to Panchayat to recover the local cess under Tamil Nadu Revenue Recovery Act. Out of the proceeds of the local cess collected, in every Panchayat town or in a Panchayat Development Block a sum representing two-ninths of the said proceeds shall be credited to the Town Panchayat Fund.

Out of the balance of the proceeds of the local cess collected in the Panchayat Development Block such percentage may be fixed by the Panchayat Union Council to be credited to Village Panchayat Funds. Panchayat can levy tax like House Tax, Professional Tax and Vehicle Tax. Panchayats can also levy duty on transfer of property as provided under Section 124.

Section 135 provides for Panchayat Union Funds.

Section 140 provides that the Executive Authority of the Panchayat and the Commissioner shall prepare budget and place it before the Panchayat or the Panchayat Union Council respectively.

Government control is provided as follows:-

Section 144, appointment of Officers for inspecting, superintending of the operations of the Panchayats and Panchayat Union Councils. Government can have power to regulate rules regarding methods of recruitment conditions of service etc.,

Section 147; Inspector may be order suspend or cancel any resolution passed, as provided in this Section.

Section 149 (A) provides for Inspector of his own motion or on a representation in writing signed by not less than two-thirds of the sanctioned strength of the Panchayat to remove the President, if satisfied that the President wilfully omits or refused to carry out or disobeys any provision of this Act or rule, by-law, regulation, or lawful orders of this Act, after calling for his explanation.

Any meeting to be convened by the Tasildar for the consideration of the notice and the explanation, if any, and the proposal for the removal of the President, at the Office of the Panchayat at a time appointed by the Tasildar.

Government also have similar power to remove the Chairman of Panchayat Union Council, as provided under Section 151.

Section 151 provides for motion of no confidence on Chairman.

Section 154, provides for the Government to supersed the Panchayat under the grounds mentioned therein.

Section 155 provides for Government can dissolve the Panchayat Union Councils, Government has power to make rules and by-laws under Section 178.

I have analysed in detail the various clauses in the Tamil Nadu Panchayat Act of 1958 showing the achievement of complete Local Self Government in rural areas. The administration of the villages has thus been vested in elected bodies conferring to the villagers the right to vote and elect their representatives to the Panchayat, Panchayat Union, Panchayat Union Council with a control and supervision of the Government.

The Act thus has created village Panchayat, Town Panchayat, Panchayat Union and Panchayat Union Council.

The Town Panchayats are placed in slightly higher footing than the Village Panchayats. Town Panchayats have Executive Officer appointed by the Government, while the village panchayat does not have such functionary. The President acts as the Executive Authority. The funds of the Village Panchayats have to be lodged in the Panchayat Union Consolidated fund maintained by the Panchayat Union Council, while the Town Panchayats can operate a separate treasury account in their own name. The accounts of the Town Panchayats are audited by the examiner of local fund accounts, the accounts of the Village Panchayats are audited by the Executive Officers of the Panchayat Union Council.

There is also provision, for lady member of the Panchayat and the member belong to schedule caste and schedule tribe. There is provision for election of the members of the Panchayat in each ward, each ward returning one or more members as determined by the Collector. The voting is through adult franchise and secret ballot. The Panchayat electors has vote only for ward representatives. The Chairman of the Panchayat (President and Vice President) are elected from among themselves by the members themselves.

The main source of Panchayat finance is Panchayat Development Scheme budget prepared by the State Government

for the duration of five years plan containing an estimate of funds available from the local revenues, Government grants to cover expenses on Elementary Education, School Meals programme, community development schemes, maintenance of minor irrigation sources, maternity centres and dispensaries.

The special local revenues includes all those resources raised by the Panchayats and Panchayat Union Councils as part of their matching contribution for different schemes for which government gives statutory as well as non-statutory grants. Thus this budget constitutes a radical innovation in the domain of Panchayat Raj finances as it places the Panchayats and Panchayat Union Councils budget estimates on an integrated pattern removing the legal and accounting problems inherent in the multiplicity and objectives of funds made available to the local bodies. Ordinary local revenues are tax revenues and assigned revenues taxes are levied on houses, profession, trades and calling and on vehicles.

Assigned revenues are share of local cess levied at the rate of 45 naye paise in every rupee of land revenue. The share of local cess surcharge in case the Panchayat Union Council levies a surcharge, share on the duty of transfers of property.

Every Panchayat has to receive village house tax matching grants to the extent of 100 percent for every rupee collected by the village panchayat as house tax.

The Panchayat has its own establishment, appointing clerks, officers, servants scavengers. The Panchayat can utilise the services of village officers, karnam on payment of special allowances. Town Panchayat has large staff competently headed by Executive Officer appointed by the Government, paid out of Panchayat funds, clerks, sanitary inspectors, maistries, pump mechanics, peons, attendants and

cart-drivers, menials and scavengers and bill collectors appointed by Town Panchayat.

The Panchayat Union Councils are formed for each of the community development block and consist of four types of members ex-officio member, presidents of town and village panchayats co-opted members, including women and schedule castes and scheduled tribes, associate members i.e. MLA whose constituency cover the Panchayat Union MLC if his residing in a Panchayat Union, who are entitled to take part in the proceedings of the council but cannot vote or contest election for the post of Chairman or Vice-Chairman and one non-official member of each township committee in the Panchayat Union. The Chairman of the Panchayat Union Council is elected from among themselves by the members. Government has power to declare any local area forming development block for the purpose of the national extension service scheme of community development to be a Panchayat Development Block. Government also can consider a Panchayat Union for such Panchayat Development Block.

The Panchayat Union Council is regarded as a non-official deliberative council being over all in-charge of the administration over the Panchayat Union, while specific executive powers are vested either in the Chairman, Panchayat Union Commissioner or the executive authority as notified by the Government from time to time.

The Council meets at regular intervals to take policy decisions in matters within its competence while the executive authority executes the decisions according to the directions of the council. Thus the Panchayat Union Council exercises administrative functions. The financial resources of the Panchayat Union are determined by Panchayat development scheme

budget. The District Development Committee is a statutory body consisting of official as well as non-official members. It is a recommendatory body without any executive functions and power has no power to supervise and coordinate the schemes of the Panchayat Union Council.

All the properties in Village Panchayat are vested with the Panchayat as set out in detail in the various provisions referred to above. The object of founding fathers of Constitution in Article 40 of the Chapter relating to directive principle to establish village panchayats has been achieved by this Act. There is no doubt whatsoever that since the passing of the Panchayat Act of 1958 the rural economy has progressed and rural development to a considerable extent. There is village autonomy established with certain statutory control. Thus the statute has given impetus for rural development in all its aspects. The programmes of rural development are carried on through the elected representatives of the village.

Thus the Democratic Decentralisation in separate form known as Panchayat Raj has been established.

I am grateful to the Organizers for giving me this opportunity to participate in this very important seminar.

THE INDIAN INSTITUTE OF PUBLIC ADMINISTRATION
INDRAPRASTHA ESTATE, RING ROAD
NEW DELHI-110002.

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MANDAL PANCHAYATS IN ANDHRA PRADESH: A MEANINGFUL
DECENTRALISATION OF AUTHORITY

Prof. C.V. Raghavulu*

and
E.A. Narayana*

Decentralisation, like democracy, free enterprise, communism and other concepts, confronted two different perspectives. One perspective has transformed decentralisation into a value in its own right. The history of efforts relating to decentralisation in post-Independence India are, by and large, guided by this perspective. The second perspective, mainly that of the analyst, is concerned with specifying structures, procedures and behaviours that could maximise the end value i.e., decentralisation in the present instance. Unfortunately, there developed a hiatus between the perspectives of the policy makers and that of the analysts. The former, in their enthusiasm for a doctrinaire approach have endowed decentralisation with a romantic idealization of decentralisation. Such an idealization of decentralisation was in many ways similar to that of an assertive and sentimental advocacy of centralisation as the means to the attainment of, economic efficiency and unit. As James W. Fesler argues:

"We are all witness to how tragic can be the consequences of centralization as the means for maximising values chosen by one or a few powerful men. But it does not follow that

* Department of Political Science and Public Administration,
Nagarjuna University, Nagarjunanagar 522 510 (A.P.)

the opposite value, decentralization, is an absolute good. If as appears true, decentralisation has hardened into a dogma that furnishes the conscious or unconscious premise of such political analysis and even its mysteries may be timely"¹

There is a striking similarity in the Western predilection for the virtues of self-government in a small city or town, as the Greek city states and in contemporary United States and the romantic view of the functioning of Gram Sabhas in primary communities or villages in India. In both the philosophical traditions, the strongest possible case is made out for the virtues of the self-governing local communities. It is necessary to note that the romantic case for decentralisation is made on the basis of conditions of living and assumptions of human behaviour in face to face communities.² The Mehta Team's approach typifies this perspective.

Contrary to the doctrinaire version many academics analyse operational features and instrumental values of decentralisation. Ministerial and parliamentary remoteness from the process of interaction between the administrative organs and citizens, particularly of the rural area, it is argued could be corrected by a process of devolution of powers to the lower levels. Such a process is also expected to serve as an anti-dote so that the higher tiers function more purposefully by concentrating on national or state-level issues rather than pre-occupying themselves with local needs, ventilating local grievances and concerning themselves with placement (transfer) decisions or criticism of local officials.

Andhra Pradesh was one of the two early advocates of the scheme of democratic decentralisation suggested by the

Balwantry Mehta Team. A three-tier structure of Panchayati Raj, with the Zilla Parishad at the top, the Panchayat at the bottom, and the Panchayat Samithi at the middle level, was introduced in 1959. Initially people evinced keen interest in the system and the representatives of the people participated in various development activities in rural areas. The initial euphoria did not, however, really last long. As Professor Ram Reddy, a serious analyst of Panchayati Raj, notes: "the enthusiasm lasted for about a decade and was then followed by a decade of criticism"³

Due to disenchantment with the structure and functioning of Panchayati Raj in the State, there has been a growing concern for reform of rural local government. Perhaps, the attempts at reform and their fruition are characterised by a high frequency. Despite minor alterations from time to time the basic structure remained the same till the end of 1986 when the Government introduced the Mandal Panchayats in the State.⁴

The Telugu Desam Government felt that the development programmes and other welfare schemes have suffered a set back in the three-tier structure of Panchayati Raj institutions. The Panchayat Samithi, with a population of 80,000 or more, has grown unwieldy to provide a sense of participation of the people. In fact, the architect of the three-tier pattern of Panchayati Raj, Balwantray Mehta, himself had expressed the view that the present area of the Panchayat Samithi was too large, preventing it from being sufficiently close to the people to reflect faithfully their aspirations and to seek their participation. He stated: "A time probably will come when we will have to think of reducing the size of the Panchayat

Samithi by about fifty per cent".⁵ In India, the size of the local government units is defined primarily for convenience of delivery of services rather than for ensuring proximity to people or fiscal viability. The Asok Mehta Committee suggested the creation of smaller units of Panchayati Raj - to be called mandal Panchayats.⁶ It also noted that the goal of the government cannot be achieved if the people find it difficult to get involved in the programmes due to distance between the clients and the elected local bodies.⁷ Widespread acceptance of the concept of growth centres for purposes of development planning is yet another major reason supporting the creation of smaller units like Mandals.⁸

The Andhra Pradesh Mandala Praja Parishads, Zilla Praja Parishads, and Zilla Pranalika Abhivrudhi Mandals Act, 1986 repealed the Andhra Pradesh Panchayat Samithis and Zilla Parishads Act of 1959. Under the provisions of the 1986 Act, the Mandala Praja Parishad (MPP) consists of the Sarpanches of all the Gram Panchayats in the Mandal area and the Member of the Legislative Assembly of the State representing the concerned Mandal area. Members of Parliament are also ex-officio members of the Mandals, but they have to opt for one Mandal within their respective constituencies. The Zilla Praja Parishad (ZPP) consists of the Presidents of MPPs, Members of Legislative Assembly and Members of Parliament.

The Act made provision for reserving fifty per cent of the positions of presidents of MPPs and Chairmen of ZPP to scheduled castes (15), scheduled tribes (6), backward classes (20) and Women (9). Besides, there is one elected member from the minority (religious or linguistic) members to the MPP and to the ZPP.⁹ A salient feature of the present set up of Panchayati Raj in Andhra Pradesh is that the Chairman of the ZPP is directly elected by the entire electorate of the district,

which is equivalent to two Lok Sabha constituencies. The Vice-Chairman is elected by the members among themselves. The President of the MPP is also elected directly by the electorate of the Mandal area and the Vice-President is elected indirectly by the members themselves.

The Act also provided, for the first time, reservations for women and backward classes to the office of the President of MPP and Chairman of ZPP. It has allowed the political parties to contest in the elections with their symbols. Under the statute the elected persons lose their position/office if they defect to other parties. The Act also empowered the State Government to constitute the Zilla Pranalika Abhivrudhi Mandals (District Planning and Development Boards). The provision relating to DPDB has given wide scope to suspicion and doubt to the critics. The presence of two apex bodies at the district level is expected to cause some friction. Fears have been expressed that this provision undermines the hitherto powerful position of the Zilla Parishad Chairman, especially so if the Government entrusts important powers and functions to the Abhivrudhi Mandals. Hence, the Abhivrudhi Mandal was caricatured as the super - Zilla Parishad¹⁰. Keeping in view the force of these criticisms about the planning boards, the Act has been amended in January 1987. The amendment dispensed with the powers of sanction of the planning bodies. In other words, these boards will not be in a position to boss over the ZPPs.

About eleven hundred MPPs came into existence all over the State on 15th January 1987. Elections to 1058 MPPs and 21 ZPPs were held in March 1987.¹¹

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MANDAL PANCHAYATS IN ANDHRA PRADESH - AN
EXPERIMENT OF DEMOCRATIC DECENTRALISATION

* Dr. B. Janardhan Rao
and
** P. Hussain Khan

Decentralisation is usually understood as a one of the techniques of organisational management or at the most as a devise of administration. But in its wider parlance it remains as descendent process of the political power to the lower echelons. Decentralisation denotes a process or situation in which powers and responsibilities are transferred from a central authority to other, usually more to local, organs.¹ The term can also be employed in relation to the political decision making process, to the distribution of powers between elected authorities and to the organization of the bureaucracy.² The applicational background of the philosophy of decentralisation in Indian context goes to colonial period, when the Britishers started entrusting the responsibility of the managing local affairs to the locally elected/appointed people.³ Therefore, the intentions behind the philosophy of decentralisation and its introduction usually remained as three in their specific context of the colonial rule which by and large continued ever after the Independence and these are reflectively seen in the present analysis. There are essentially three fold:

1. Accommodation of (who emerged in the process of national movement) the assertive local elite in gaumt

* Lecturer in Public Admn., Deptt. of Political Science and Public Admn., Kakatiya University - Warangal.

** Research Scholar, Deptt. of Political Science & Public Admn., Kakatiya University - Warangal.

of the power structure and there by extension of the legitimacy to the weakly rooted administration in the country-side. This precisely resulted in a process of consolidation of the state's authority over the masses. Therefore, the extension of the legitimacy to the professed goals of democracy which precisely means sharing the power by wider sections of the masses in a society. Decentralisation therefore was rather a necessity to the colonial state to acquire legitimacy to its existence.⁴ This assumption stands valid even to the post-independent Indian State and its state's attempts for decentralisation.

2. Decentralisation is also used as a convincing design to persuade the masses to have faith and confidence over the political structures, parties and process through which the political power gains the mass character and its acceptance.
3. Decentralisation is also a suitable process for introducing viable administrative mechanism, instrumental in delivering the public services.

Therefore, this paper attempts to notify the precise uniformity of the intentions of the newly inserted decentralisation efforts in the Panchayat Raj System of Andhra Pradesh starting from erst while colonial state. These empirical observations however remain confined to the specific context of Andhra Pradesh only.

II

Andhra Pradesh was one of the first two states in India to establish the Panchayat Raj institutions in the year 1959. Subsequently a three tier Panchayat Raj System was introduced and the Jurisdiction of powers and responsibilities were specified in the Andhra Pradesh, Panchayat Samithies and

Zilla Parishad Act 1959, and the A.P. Grampanchayats Act 1964. After the promulgation of these acts and introduction of institutions in the rural areas of Andhra Pradesh, interestingly, the elections for these local bodies were non-existent for a decade, and again it was the Congress regime headed by Anjaiah was responsible for conducting elections to these institutions in the State which again have set a new a situation and picture over the political alignment of the rural classes. Certainly, the sullened political situation has again been set in motion. However the internal power struggle in the then ruling political party i.e. Congress reached its hights which was ultimately defeated by the victorious Telugu Desam, a political party emerged out of the alignment of the specific social classes rooted in Andhra region.⁵ The class alignment is evident in its successive mandal elections and acts of power consolidation in the countryside.⁶ The introduction of the Mandal Panchayat as an attempt in this direction taken-up by the ruling Telugu Desam Party in Andhra Pradesh.

III

The inspiration to the introduction of the Mandal Panchayats by the Telugu Desam Party was derived from the reports of Ashok Mehta and Narasimham Committees. The new setup entitled to bring changes in the revenue administration as well as in Panchayat Raj. Following the broader guidelines and premises of the Ashok Mehta Committee's recommendations, Telugu Desam Party introduced the Mandala Praja Parishad bill in the legislature assembly on July 7, 1986. The bill proposed the constitution of 1,104 mandals in place of 322 Panchayat Samithies. Each Mandala Praja Parishad would consist of about 35,000 to 50,000 population of about 20-25 villages. The voters of the Mandal directly elect the President of Mandal Praja Parishad and the MPP is also sought as a viable administrative unit for the delivery

of Public services to the people. Organisational setup of MPP consists the Sarpanches of village panchayat, M.L.A. representing Mandal Area, Lok Sabha Members, nominee member of Rajya Sabha, a member representing (on the basis of religion of language) and five members co-opted.

The set of public services to be handled by these institutions range a wide variety in their nature. Administration of Health Centres, Primary and higher school education, co-operative banks, Veterinary Hospitals, Police-station, market yards etc., are few of many areas where MPP given wider power to exercise. These institutions also act as a instruments in implimentation of various developmental programmes at the grass-root levels.

The above sketch therefore explains in brief about the organisations setup, the set of functions entrusted to these institutions as a result of the newly introduced democratic efforts in the state. The real intentions of these much ushered efforts of decentralisation in the state however stands different in its nature to the very nature of objectives that were latently outlined at the time of its introduction. The difference of this latent real postures of the decentralisation is obviously seen through the following analysis as it is accompanied by the interest of specific class interests and specific socio-economic pressures.

IV

Introduction of the Mandal Praja Parishad System has its own political and economic pressures as well. These pressures are explicitly seen in the eventual out come of the MPP introduction in the State. The out come and consequences of the Newly introduced decentralisation efforts in the state at the grass-root level are briefly explained as here under:

- 1) The introduction of the Mandal Praja Parishad is an effective act of the newly assumed political

party to strengthen its basis in the existing rural classes. An apt companionship was thus found with the rich and neo-rich sections whose capacity to excel the traditional land lord class is guaranteed. It is the land lord class, broadly identified with the Congress in the state. The neo-rich and land-lord classes contradictions were set to forth with the advent of local elections where the latter had a triumph over the former.

The assertion of neo-rich in the political area quickened the widening of the power structures and there by the political accommodation of the articulated sections into the power spectrum. The enhancement of the grass-root organisational span has aptly absorbed the rising neo-rich political aspirations. With the fulfilled political aspirations of power wielding, the cadres who are benefited have adhered to the regional political party, and this process had equally profilled a new forms of unquestionable loyalty, mute and uncritical obedience to the leader and there by infusion of new forms of leader-based chuvan's in the minds of rank and file which other way was acting upon as a solid force the earlier political party i.e. Congress. This opinion is authentic because, the neo-rich class in Andhra in particular and in India in general is trying to rally the rest of the masses along-with its articulation against the 'wrath of the monopoly capital'. Its popular ideom is 'Peasantry' as an exploited class it self. This logic focuses and shows the contradictions of Rural Vs Urban and agriculture Vs Industry, a simple strategum of the neo-rich to rally the 'simple minded peasantry's' support. The same analogy could also be seen in the context of Andhra Pradesh. Mustering of 'peasant - support' to the T.D.P. policies is possible

only if the richer sections are with the party, since they turned to be influential over the behaviour of the masses. To keep these sections with the party, they have to be provided with few powers exercisable at the local levels where their 'alter ego' is satisfied. The creation of Mandals is a timely penceea for the same.

- 2) It is not only mustering the neo-rich's support through the creation of the 'new power structure' at the grass-root level, but it is also locally designed structure where 'common people' are going to be regularly in touch with these structures with the effect of changed and complicated revenue procedures of land records. The abolition of 'Patwari' System centralised the information system related to land ownership where peasantry have to come to the headquarters of the Mandal on any megre work either on his own or through some middle men. This has a tremendous ideological impact over the perceptional capacity of the peasant. His visit to the mandal realises his position and 'wise political choice' to the chosen if at all his work to be attempted quickly. Sooner or the later he has to side the official party or gain. Some ruling party link to finish the job that he has with the mandal office. The officials are appointed in these positions are supposedly implement the priorities of the official policies of the T.D.P. party. Thus, the Decentralised organs have been appropriate channels for the 'positive propogandic effect' of the political philosophy and priorities of the ruling political party over the masses.

Finally the organic link and administrative expansion of the grass-root administration i.e. Mandal has few effects over the masses to be studied carefully. Mandal's creation has essentially two fold administrative effects. They are:-

1. It has hit the political power of the Samathi presidents mostly belonging to land lord class who were replaced by relatively inexperienced mandal presidents.

2. The institutionalist expansion (by creating 1,104 mandals) could throw up few promotional channels to the long waiting bureaucrats and it had provided them with a chance of enjoying political power too, as their counter part prevail to be mostly young and inexperienced. The conversion of 'samithies' into numerically increased number of mandals could provide a 'full time activity' to the village youth who spend their energies in approaching these offices for all the practical purposes of the 'grievances clearance' and to fulfil their 'image urges' to be popular among the people. Even the machinery for rendering the public services evolved by these institutions stands more 'centralised' and 'far a way' from the common people. It might have in a way reduced the spatial distance of the travel of the peasants to nearby places but did not become really "nearer to the door steps" of their houses as it was much publicised during its introduction in 1986. Therefore the gap of the professed and practical intentions are clearly imminent even in the case of administrative viability. But in a way the party was successful in creating an image among the people that every administrative institution is nearer to them through its abled propoganda machanism.

In view of the gap exist in the latent and real intentions of the very decentralisation. It clearly proves that it is farcial when it is put to the real democratic nature of reforms. It is farcial because, during the period of same mandal elections held in the state, in few areas of Karimnagar, the 'right sense of the extreme democratic sprit' of the ruling regime could not spare the propoganda⁷ of the CPIML democratic front candidates in their respective constituencies. They were arrested, beaten and prevented

from the propogation of their ideals.⁸ Hence the decentra-
lisation attempt is partial and biased. At the most it
remains as a process of 'deconcentration of the power' to the
much louder and richer sections than a genuine attempt of
decentralisation of the power.

Therefore a new thrust certainly filled in their attempt
but again only to the economic advantage of upstrating class
and the political benefit of the present regime in the state.

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TOWARDS REFORMING LOCAL GOVERNMENT

BY: G. SREENIVAS REDDY*

Although Panchayati Raj as a system of rural local government is a quarter century old, there is ongoing debate in regard to its structural configuration and functional alignment. This debate has at times assumed a dimension more important than mere academic exercise consequent upon changes in the political set-up at national or State level. The recent turn of political events in the South has again forced the debate on Panchayati Raj to the fore. (The States of Karnataka and Andhra Pradesh have introduced important changes in the set-up.)

A major inadequacy of Panchayati Raj stems from its weak legal position. The Constitution makes only a vague and ineffective reference to Village Panchayat under Article 40 in its non-justiciable part - the Directive Principles of State Policy. In other words, there is no compulsive provision in the Constitution to ensure the continued existence of local government as in the case of higher organs of government such as the Union and State Governments. Further, the

*Reader, Department of Political Science & Public Admn.,
Kakatiya University, Warangal - 506009.

Constitution enumerates local government as a State subject, thereby placing the very being of local government - both rural and urban - at the mercy of the State Governments. The State Governments are in fact accorded unfettered powers to wish local bodies in or out of existence and to prick or pat them at will. As the logic or power dynamics in such a situation would have it, there has been a general tendency among State Governments to scuttle, supplant and suppress the working of Panchayati Raj institutions through machinations like delay or non-conduct of elections, resort to suspension or supersession, curtailment of powers, establishing control from with through bureaucratisation or simply exercising pressure.

To obviate or at least to minimise scope for this, the local bodies should be accorded the status of inalienable organs of government receiving sustenance from the Constitution as in the case of Union and State Governments. The above entails Constitutional amendment to provide for three and not two layers of government - Central, State and Local - all three drawing powers from it. Of all the different powers layers of a democratic government, local government is logically the most natural, closest to the people and one that offers widest scope for meaningful popular participation. Therefore, a strong Constitutional status for local government would give content to the democratic intent of the Constitution insofar

as it lays a firm basis for the cultivation of people's power.

That people's participation is an indispensable ingredient of a democratic dispensation is a point that can be hardly over-emphasised. The very genesis of Panchayati Raj (PR) could be traced to the ostensible urge for popular participation in developmental activities. However, the measures and methods devised for securing participation fall far short of requirement. While 'participation' is a wider process encompassing numerous acts of decision-making and benefit-sharing, the PR scheme has virtually narrowed it down to a single act of voting in elections. Once elections to local bodies are over the generality of the people are pushed to the background and the show is monopolised by the dominant few or, much worse, a one-man show succeeds. This naturally results in what may be called alienation of the people at large from Panchayati Raj processes. Secondly, 'people' were by and large perceived as an undifferentiated lot all of whom uniformly need increased participation. The glossed-over point was that in fact people are not one but constitute two different classes. One class consists of the dominant but numerically fewer people, who are over-participating. The other class consists of the mass of the people who are largely kept out of the arena of participation and allowed, if at all, only a marginal role. The real task is

not merely enhancing the participation of those who are kept out but also concomitantly undoing over-participation of the dominant few.

Recourse to instruments of direct democracy such as referendum of major local issues, recall of representatives who no longer enjoy the confidence of electors, and citizens initiative on local matters in the PR scheme, would largely meet the requirements of continuous participation. A sem-balance of what is suggested above is no doubt provided for in the legislation governing village panchayats in a number of States in the form of gram sabhas but the provision has hardly crossed the confines of the statute book. It may be argued that there will be difficulties in operationalisation of these devices at all levels of Panchayati Raj, but no major difficulties can be foreseen at least at the level of village panchayats which have small spatial jurisdictions and limited population ranges.

The above provision can be buttressed with a few complementary measures. One such measure could be conduct of direct elections to non-official executive positions as is already done in a few States like Andhra Pradesh. This change would check distortion of popular will as witnessed in the process of indirect elections. Another step could be broadening of the electorate by reducing the voting age from the present 21 years to 18 years so that more people get

involved in the processes of PR. This is already done in a few States and needs to be adopted in all. This voting age reduction is warranted by the fact that when a person is considered a major for purposes of law after attainment of 18 years of age, voting right need not be postponed till attaining 21 years of age.

In the name of ensuring participation of weaker sections and representation of special interests, Panchayati Raj legislation has generally provided for association of women, Scheduled Castes and Tribes, and persons experienced in co-operation and rural development with PR bodies. The provision has been used more to distort and dampen popular will than to espouse it. Three different methods of nomination, cooption and election were variously used to secure association of weaker sections and special interests. While the method of nomination is outrightly undemocratic cooption was used to bolster the strength of dominant groups in local councils. Even in cases where seats were reserved for weaker sections the constituency arrangements were such that particular groups for which reservation was intended were in many cases a minority.

A more meaningful way of ensuring participation of the weaker sections is to grant double voting rights to their members. Along with the right to vote in elections to non-reserved seats they are to be given additional vote to be exercised in choosing a member representing the reserved constituency on the one hand this would ensure additional

weightage to the weaker sections and on the other it would make the ~~reserved~~ seat holders representative in the sense that the community for which the seat is reserved will have exclusive say in choosing its representative. This specific proposal may look somewhat strange, but the underlying principle of compensatory discrimination is already extended to groups like SCs and STs in matters of election to legislatures, recruitment to public services and admission to educational institutions. In all these fields SCs and STs, in addition to being eligible for non-reserved positions, are allotted a certain percentage of positions to be exclusively contested by them. On the face of it the principle may appear as violative of political equality by negating the 'one man one vote' norm. On the contrary, it is precisely aimed at securing political equality by providing for substantive equality of weaker sections by compensating their handicap in the matter of influencing the political processes through extra-electoral manipulations which the dominant sections are able to do.

With some exceptions Panchayati Raj is manifest in different states as a tiered structure. Generally it has two or three tiers, the latter being more common. While there is broad agreement that it should have more than one tier, there has been debate on the precise number of tiers and about the suitability of one or other tier as the focal unit for developmental thrust.

The tiered structure has been conceived as a device to integrate local bodies horizontally and vertically on a spatial basis. The preferred model of three tiers is generally found ill-suited for two reasons. First, it is expensive on account of expenditure involved in maintaining establishment at many levels. Secondly, the three-tier model views town and countryside as exclusive and provides for spatial integration of only rural local bodies, while the fact is that the above two are complementary and separation between the two is artificial. In the absence of integration of rural and urban habitations into one local government structure, the disparities in civic and developmental amenities between the two are growing and the urban areas are being built at the expense of the rural ones.

To overcome these lacunae, the local government system should provide for integrating rural and urban local bodies, at the same time confining the number of tiers to the minimum. This can be done by providing for a two-tier structure of which the town and village councils would be the units at the base and the district councils the top-level units. The village and town councils should be integrally linked to the district council by providing for ex-officio membership of the village council chiefs and town councillors in the district council. The population range of the village councils should be around ten thousand to make them functionally and

financially viable. Experience has shown that largesized panchayats have generally fared better than the smaller ones.

Since the wealth of the urban communities is by and large the surplus extracted from the rural areas, there should be an in-built arrangement, in the proposed local government structure, that would ensure spending a reasonable share of towns' proceeds on the development of rural areas. As for as the distribution of powers between the tiers is concerned, the guiding principle should be to give the lower units all the powers and functions that can be better managed at that level, giving only the residual ones to the top tier. The development departments of district level and below should be brought under the purview of the district council as is already done in the case of Maharashtra. This step, apart from strengthening the position of District Councils as units of self-government, would also take the developmental process closer to people.

The dominant thinking among persons involved in shaping the Panchayati Raj movement has been that party politics harms the effective functioning of Panchayati Raj institutions and hence they should be insulated from it. Consequently, excepting the States under the rule of the Left parties like Kerala and West Bengal, and Andhra Pradesh, others have precluded a formal role for political parties in the working of these institutions. This thinking is unrealistic. Even in States where the

political parties are not given any formal role they are influencing the PR institutions' working covertly and overtly. No political party had left Panchayati Raj alone. Infact all political parties look towards PR Institutions to provide a grass-roots basis for their support structure and have used every opportunity to influence the PR system towards this end. Further, when a well-organised party system is taken as an important ingredient for the success of a democracy, it makes little sense to keep political parties outside grass-roots political institutions. Besides, political parties have a positive role to play at the local level. They articulate interests on a ideological basis and train people in the craft of politics. Operation of political parties at the local level would enable people judge their promise and performance better at the level than at national and State levels. Further, local politics would counter the trend of cost-based party-based/voter mobilisation and replace it with a secular basis. In view of the above it is desirable that political parties be given a free and formal role in the functioning Panchayati Raj institutions.

Panchayati Raj institutions have not generally been trusted to handle important functions at the local level. This was the result both of a certain mistrust about their potentiality to undertake important activities as also the fear that they would develop as rival power centres to those in higher organs of government. That the latter may be more

true is borne out by the fact that PR institutions have been gradually sidestepped with the creation of numerous special agencies managed by the bureaucracy and operating outside the framework of PR system for executing developmental programmes. With some honourable exceptions the PR institutions are not given powers and functions commensurate with their status as units of self-government. Further, they are not provided with means adequate for effectively discharging the limited functions assigned to them. It is strange but true that while the States complain against the Central Government for not allowing substantial powers, functions and finances to themselves, they in turn have not shown an attitude substantially different from this when dealing with the local bodies.

According a strong Constitutional status to local government as suggested earlier may solve this problem to some extent. However, the issue will not be settled fully till there is the necessary political commitment. A beginning can be made by the political parties in power which claim that they are committed to democracy and people's power. They can first initiate the process of effective decentralisation of powers within the parameters of the Constitutions and political system. Among others specifically the local councils should be given powers to review implementation of socio-economic legislation and developmental programmes such as land ceiling legislation, land alienation regulations, bonded labour relief, minimum wages, rural works, village housing, etc.

The effective exercise of powers and functions largely depends on the availability of adequate financial resources to the local bodies. Inadequate finance has been the perennial constraint on the proper working of local bodies. This problem to some extent could be solved by specifically scheduling certain items for local taxation in the Constitutions as is done with regard to Central and State taxes. This would give a measure of autonomy and certainty, to local bodies in planning their programmes. Suggestions such as transferring a certain percentage of State Government's total receipts to local bodies may also be considered.

Working in one and the same polity as they are, local bodies cannot be totally immune from interaction with other units of government. This inter relationship between local bodies and the State is generally sought to be regulated through the control syndrome where in the local bodies are subordinated to the State Government in law and more so in practice. There has been a tendency on the part of the state to usurp the limited local powers.

For preserving and strengthening local autonomy there is need to regulate state-local relations with the help of some institutional devices like a Local Authorities Commission which should be empowered to conduct periodic elections to local councils, exercise general supervision over the working

of local bodies and suggest financial devolution. It should combine the roles of the Central Election and Finance Commissions in regulating the state - local relations. Its status and functioning should also be modelled on the pattern of the above-mentioned bodies.

The thrust of the above proposal is to restructure the rural local bodies as genuine and effective instruments of democratic decentralisation. The specifics of the proposal suggested here are more illustrative than exhaustive. There may be many refinements, elaborations, amendments and additions to the framework envisaged here. What is important is the direction of shaping local bodies as real organs of people's power. Now the question arises whether the direction underlying the proposal would be acceptable to those controlling state power. Even if it may not be acceptable to them as a group, one need not be totally pessimistic since a part of the ruling class in India, particularly that part which is in the saddle in the States under Leftist influence, have professed commitment to the cause of cultivating people's power. They can shape the local bodies as grass-roots/organs of people's power even within the constraints of the overall system. In fairness to them it must be said they have already moved in this direction to a limited extent. But there is much more that can and should be done. If they fail to do so, they will be bracketed with the vested interests who are out to turn Panchayati Raj into an ornamental facade.

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NEW THEMIST IN DEMOCRATIC DECENTRALISATION:
WITH SPECIAL REFERENCE TO A.P. AND KARNATAKA.

Dr. S.N. Sangita*

The revival of Panchayati Raj institutions (PRIs) in Andhra Pradesh and Karnataka with major changes is a welcome step in the direction of democratic decentralisation and institution building process, when the country is poised to transform the socio-economic conditions of the rural society. Although, these experiments appear to be the out come of the ideological commitment and the political strategy of the Telugu Desam and Janata Party in A.P. and Karnataka respectively, some of these changes are the 'trend setters' for establishing the institutions at the sub-regional level, which is an alternative for strengthening the country's unity and development.

Although both the states introduced four tier structure of Panchayati Raj in the place of the earlier three tier system, there is a wide variation in the devolution of powers, functions and resources to these institutions. In Karnataka, the PR set up at the district level has emerged as a mini government with the devolution of enormous powers and

* Associate Professor, Development Administration Unit,
Institute for Social and Economic Change, Nagarabhavi,
Bangalore-560072.

resources to plan and execute the development programmes. However, its subsequent levels below the district level are the weakest communication links which may negate the spirit of democratic decentralisation. The institutions created at this level are not viable units either to execute development programmes or to perform the civic and other administrative functions.

In A.P., the middle tier in between the district and the village has emerged as an important executive agency. It will be developed as a self-sufficient unit to facilitate the easy accessibility of the administration to the common man as well as for effective delivery of various inputs and other services for socio-economic development. However, the importance of PRIs has been undermined by creating one more agency over and above the elected body, under the chairmanship of the minister. At the same time, A.P. Panchayati Raj system has yet to attain the status of Karnataka which is the most revolutionary PR reforms in the entire country. In this article, an attempt has been made to highlight the important features of PR system in both the states.

1. BRIEF HISTORY

As soon as they came to power in 1983, both the Telugu Desam in Andhra Pradesh and the Janata Party in Karnataka decided to revitalise the Panchayati Raj institutions (PRIs) by developing more powers to them for undertaking socio-economic activities, as promised in their election manifestoes. Bills to this effect were passed in the respective State Legislatures.

The Karnataka Act came into operation from August 14, 1985 as against January 15, 1987 in AP. Elections to these institutions were held in January and May, 1987, in Karnataka and A.P.

respectively. Fighting the elections on party lines, both the Janata Party and Telugu Desam established their control in a majority of Zilla Parishads and Mandal Panchayats. The TD won 18 out of 21 ZPs in A.P. as against 16 out of 19 for the JP in Karnataka. The remaining three ZPs from each of the two States went in favour of the Congress.

2. STRUCTURE OF PR SYSTEM

In both States, structural reforms in PRIs were initiated mainly on the basis of the Asoka Mehta Committee report. However, while designing the PRI system, they also drew inspirations from State-level committees on PRIs such as the C. Narasimhan and J. Vengal Rao Committee in AP and the Kondaji Basappa Committee in Karnataka. Especially, the mandal concept in AP owes its origin to the firqa development scheme of the late T. Prakasam when he was Chief Minister of the erstwhile composite State of Madras in 1949.

The four tiers of PRIs in AP are the village panchayat, mandal praja parishad (MPP), zilla praja parishad (ZPP) and zilla abhivruddhi sameeksha mandali (ZASM), whereas in Karnataka they are the gram sabha, mandal panchayat (MP), taluk panchayati Samithi (TPS) and Zilla parishad (ZP).

The major change in both States is the creation of a mandal panchayat for a group of villages, though its population size varies - 8,000 to 12,000 in Karnataka against 35,000 to 50,000 in A.P. However, it is only 4,000 in the case of the Malnad districts of Karnataka. According to Asoka Mehta, its size was to be 15,000 to 20,000.

At the grass-root level, the village panchayat has been retained in AP, while in Karnataka it was replaced by the grama sabha. As for the block and taluk level set-up, the existing panchayati Samithi was abolished in AP, while it has been retained in

Karnataka but without powers, known as TPs.

At the district level, the earlier District Development Board (DDB) under the chairmanship of the Deputy Commissioner (DC) in Karnataka was replaced by the Z.P. Now it is headed by an elected representative known as the Adhyaksha. In AP, besides the ZPP, there is the Zasam under the chairmanship of the State Minister to act as an apex body at the district level. It mainly consists of district legislators (MLAs, MLCs and MPs) and experts nominated by the State Government. The Chairman of the ZP is its Vice-Chairman while the Collector is its ex-officio Secretary.

3. MEMBERSHIP

As for the membership of these bodies, there is wide variation among the two States. AP opted for ex-officio membership against the directly elected members in Karnataka. In AP the members of the MPP and the ZP⁺ are ex-officio members, while the Chairman of the latter is directly elected. In other words, the Sarpanchas of the village panchayats in the Mandal are its-ex-officio members and the Presidents of the MPP along with the legislators are ex-officio members of the ZPP. However, members of the village panchayat are directly elected.

The system of direct election to these positions is a major departure from the earlier system and from other States except Tamil Nadu. Above all, 50 per cent of these posts are reserved for weaker sections (SC 15, ST 6, women 9 and backward castes 20 per cent) which no other State including Karnataka has achieved so far. However, in Karnataka, 25 and 18 per cent of the seats in these institutions are reserved for women and SCs/STs, respectively.

In Karnataka, the ZP mainly consists of directly elected members for a population of 15,000 to 35,000 as well as MLAs, MLCs and Lok Sabha members of the district. They elect Adhyakshas and

Upadhyakashas who enjoy the status of State Ministers and Deputy Ministers, respectively.

On the other hand, the TPS at the Karnataka taluk level is a co-ordinating agency with no powers of its own. It mainly consists of mandal pradhans of the taluk and a local MLA as its chairman. The grama sabha at the village level comprises all the adult members of the village whose names are on the electoral rolls of the ZP.

4. DISTRICT GOVERNMENT IN KARNATAKA

With the devolution of many powers and resources to plan and execute development programmes, the ZP in Karnataka is heading towards district Government. All the developmental departments and agencies of the district including the District Rural Development Agency (DRDA) have been brought under the purview of the ZP, which no other State including West Bengal has achieved. By transferring planning functions along with 45 per cent (Rs.950 crore) of State Plan resources to the ZP, Karnataka is far ahead of many States including Gujarat where limited planning has been entrusted to the ZP.

Now each district prepares a plan for Rs.50 crore to Rs.30 crore. A senior officer of the rank above DC, known as the Chief Secretary, works under the overall supervision and control of the Adhyaksha. He is the chief executive officer responsible for co-ordinating all the development activities. For the first time in the country, thus the elected representative has been elevated to the premier position in district administration.

Besides the constitution of a State level development council with the Adhyakshas of ZPs under the chairmanship of the Chief Minister on the lines of the National Development Council, the establishment of a finance commission on the lines of the

Central Finance Commission to work out the quantum of resources to be transferred from the States to the ZP, etc, enhances the status of the ZP to that of mini-Government at the district level.

In AP the importance of the ZP^h has been undermined with the creation of the ZASM under a State Minister, although the chairman of the ZPP has been given status similar to that of his counterpart in Karnataka. Although, the ZPP chairman is elected directly by an electorate as big as that of two or three parliamentary constituencies, he has been made subordinate to the State Minister whose constituency is at least 15 to 20 times smaller than the ZPP chairman's.

Unlike in Karnataka, a senior officer has been posted in the ZPP. Only an officer junior to the Collector known as the District Development Officer (DDO), works under the overall supervision of the ZPP chairman. Besides, the District Collector has a say in the affairs of PRIs. Also, many development departments, particularly the DRDA, are still outside the pur-view of the ZPP.

5. MANDAL SYSTEM IN A.P.

On the other hand, the mandals in AP are emerging as an important implementing agency of the PRI system. In many respects, the Mandal system in AP is different from the Karnataka model and that advocated by the Asoka Mehta Committee.

For one thing, the Mandal in AP is two to three times bigger than that envisaged by Asoka Mehta. In many ways it is more like the community development block of 1952 vintage. When CD blocks were constituted for a population of 100,000 the tasks entrusted to them were limited and the money kept at their disposal was very little. Now there is a manifold increase in their tasks as well as resources, with the initiation of many rural development programmes.

Even in terms of staff, it is more or less on the lines of the DC block. Besides a mandal development officer and other administrative staff, there are mandal officers in charge of agriculture, animal husbandry, co-operation, women and child welfare, rural development, engineering, etc. They are supported by the village development officers. In Karnataka, however, an officer of assistant rank has been posted as the secretary of the MP with little supporting staff.

The other major deviation from the Asoka Mehta and the Karnataka model is the composition of mandal membership. Instead of electing its members on the basis of population, as suggested by Mehta, AP opted for ex-officio membership. In other words, all the village sarpanchas of the MP are its ex-officio members. This ensures equal access to all villages, irrespective of their size, to resources available at the mandal level.

Contrary to this, if the membership is based on population as practised in Karnataka (500), there is always a possibility of the bigger villages cornering all the benefits. This is exactly what happened when small hamlets were clubbed with major panchayats in the past.

6. CONCLUSION

Thus we can conclude that in Karnataka the ZP has been given the status of a mini-Government as against the mandal in AP. However, its weakness lies in its immediate organisation below the district. The mandal in Karnataka is too small a unit to undertake developmental activities, while the TPs have no executive powers. At the same time, the mandal is too far away from the village to perform civic, welfare and other general administrative functions, while the grama sabha cannot perform these functions in the absence of political power and supporting administrative staff.

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THIRTY-FIRST MEMBERS' ANNUAL CONFERENCE-1987

DEMOCRATIC DECENTRALISATION - BASIC
CONCEPTUAL AMBIVALENCE

- B.D.Sharma*

Ours is a democratic republic in which the supreme power vests in the people. The Constitution, which we have given unto ourselves on January 26, 1950, provides the frame for the exercise of this sovereign power by the people. The preamble of the Constitution sets out some basic values of democratic life like justice, liberty and equality which are expected to permeate the national life. These premises provide the basis for the legal supra-structure embodied in the Constitution and supported by a variety of institutions established under its authority. All citizens have also been guaranteed a set of fundamental rights under the Constitution. Further the Constitution also spells out certain directive principles which the State is expected to follow in all spheres of its activities, including legislative, executive and judicial, which impinge on the life of the ordinary people.

In a modern state all relationships are formally defined whose ultimate authority can be traced to the Constitution itself through a variety of laws which may be enacted by the legislative bodies. The State, through these legislations, thus, acquires authority to regulate every aspect of individual's life subject to the proviso that the legislation does not infringe the fundamental

* Member, Executive Council
and **presently** Commissioner for Scheduled Castes and
Scheduled Tribes, Govt. of India, New Delhi.

rights. This formal frame of the modern state has been steadily growing covering an ever-widening sector of citizen's life leaving very little of practical significance outside its ambit. In this way the sovereign power of the people as embodied in the Constitution, in a sense acquires a tangible form as it gets transformed into a legal system.

The law-making powers in our Constitution have been vested in the legislative bodies at two levels - the Union and the States. The residuary powers of legislation vest ~~in~~ the Union. The only exceptions to this two-tier distribution of legislative powers are the Tribal Areas in the North-East in whose case a third tier of legislative authority is envisaged at the district level. The legislative jurisdiction of the District Councils has been clearly defined in the VIth Schedule of our Constitution. No law of the Union or the State on any of the subjects included in the Schedule can be extended to the concerned Tribal Area without the consent of the District Council.

The Union and the State exercise the powers vested in them under the law through a number of institutions which themselves are created either directly under the authority of the Constitution or under statutes enacted by the legislatures. Even though the power exercised by these institutions vis-a-vis the citizen, in the final analysis, essentially ^{represent} the sovereign power of the people themselves expressed collectively, the citizen in the real life situation cannot be expected to realise and appreciate this basic, but not explicit, character of those powers against which he is pitched in his day-to-day life. In fact, for all practical purposes the experience of the citizen is that of being subject to a higher authority over which he has little control.

The alienation between the citizen and the formal authority exercised in the name of the people becomes increasingly pronounced as the formal system representing the State becomes more and more complex and intricate with overtones of a mystique beyond the comprehension and understanding of the common man. The wide gulf between the people and large systems like the Union and the State is sought to be bridged by creating a set of representative institutions nearer the people for smaller areas like district, taluk, or block which may be delegated suitable powers by the State or the Centre, as the case may be. The smallest geographical unit which can be considered for such a dispensation is the village which also happens to constitute a socio-economic unit comprising ^{the} face-to-face community. The face-to-face community is the real frame of reference for the day-to-day life of the people. Therefore, the institutional set up at the village level has a special significance for the quality of people's life particularly in our country which has a long tradition of self-governance by the community almost like a republic at the village level. This crucial place ^{of the} community in the life of the people in a village was fully appreciated by the Founding Fathers. Therefore special provision has been made in this regard in the Constitution. ^{Accordingly} Article 40, in of the directive principle of State Policy in our Constitution, envisages the organisation of village panchayats 'endowed with such powers as may be necessary to enable them to function as units of self-Government'.

The use of two terms, viz. 'endow' and 'self-government' in Article 40 is significant. This provision does not envisage mere delegation of certain power to the village Panchayats. These institutions are expected to be endowed with certain powers. An endowment is qualitatively different from general provisions for delegation in a law. Delegation

in favour of Village Panchayats

is reversible, endowment is not. Such an endowment^{is} in consonance with the spirit of democracy. With the establishment of Panchayats at the village level, the circle representing the flow of sovereign power beginning with the people through the Constitution, the Union, the State, and other tiers, if ^{get completed,} any, At the level of village in a face to face situation, the Panchayat, as an institution, essentially comprises the microcosm of citizens who are the ultimate source of sovereign power which is embodied in the Constitution through the formal resolution on their behalf.

The Panchayat as a unit of self-government also acquires certain special features. The powers exercised by such a body cannot be subjected to the scrutiny of any other authority except that of the people who collectively constitute that Panchayat and enjoy the inherent sovereign right for self-governance. It is important to note that the concept of self-governance cannot be defined in terms of an aggregate of specific items because it is an all inclusive concept. The best which can be done in this regard is to define it in the context of village Panchayats by specifying what lies outside its ambit of self-governance with reference to the current state of polity in the nation. Therefore, the formal institution of village Panchayat can be said to be a unit of self-government only if it is organised by carving out the area of its jurisdiction by the process of elimination, or, neti neti. Once the endowment has been made by the state in favour of the Village Panchayat it should become inviolable. Any authority other than that of the people in the villages, who would comprise that self-governing collective, should have no powers whatsoever to interfere with the performance of those functions.

The spirit of this provision is fully reflected in the discussion in the Constituent Assembly which preceded its incorporation in the Constitution. Shri K. Santhanam, who moved

the amendment to add this Article stated in the Constitution.(1) that "what is attempted to do here is to give a definite and unequivocal direction that the State will take steps to organise Panchayats and will endow them with necessary powers and authority to enable them to function as units of self-government." That the entire structure of self-government, of independence in this country should be based on organised village community is the common factor of all amendments tabled and that factor has been made the principle base of this amendment". The Constituent Assembly discussed in detail the possible ambit of self-government. The consensus was that the village Panchayats should be established in the image of village republics. The philosophical backdrop for this amendment was provided by Gandhiji's idea of gram swaraj. In Gandhiji's (2) own words, "my idea of village Swaraj is that it is a complete republic, independent of its neighbours for its vital wants and yet inter-dependent for many others in which dependence is a necessity".

An important aspect of self-governance which was specifically considered was that the ambit of self-government could not be circumscribed to matters merely political. Shri L. Krishnaswami Bharathi (3) who had some doubts about its span raised this issue and stated that "After all, what the amendment seeks to give is only political independence, Political independence apart from economic independence, has no meaning. The idea behind the Directive Principles is to emphasise the way in which we want the country to function, and for that we must make it quite clear to the whole world that economic democracy is important and for, that decentralisation of economic power is important". The consensus in the Constituent Assembly veered round a comprehensive frame in which the concept of 'self-government' covered all aspects of people's life including economic. Another important tenet of self-governance specifically referred to in

(1) All references relate to the debate in the Constituent Assembly on the amendment seeking to introduce Art. 31A in the Draft Constitution which has been renumbered as Art.40 in the Constitution.

the debate was self-reliance. Again Gandhiji provided the answer who had told the people that "Do not expect anything from the Government. Who is the Government? After all you constitute the Government. You must work, you must produce". Thus, decentralisation, self-sufficiency and economic democracy were accepted as the guiding principles of organisation for self-government.

That the founding fathers were unequivocal about the urgent need for resurrection of the spirit of village republics is quite clear from the debate. Shri V.I. Muniswamy Pillay (4) stated that 'the villages are in rack and ruin, and if there is to be any amenities or self-government it is to the villages that the Sovereign Body must give them'. He felt that by this provision "We are going a long way towards reconstructing our villages which are in such dire necessity of such reconstruction today". Continuing in the same vein, Shri Surendra Mohan Ghosh (5) stated that "in my opinion the meaning of the Constitution would have been nothing so far as crores and crores of Indian people are concerned unless there was some provision like this in our Constitution ... Our village people are so much familiar with the system that if today in our Constitution there is no provision like this they would not have considered this as their Constitution or as something known to them, as something which they could call their own country's Constitution".

Shri T. Prakasham (6) considered this provision as fundamental. Dwelling on the circumstances which led to the introduction of this provision he stated that "a very serious situation was created by not making the village republic or the village unit as the real basis of the Constitution. It must be acknowledged on all hands that this (the ^{Draft} Constitution under discussion) is a construction which begins at the top

and which is going down to the bottom. What is suggested in this direction by Dr. Rajendra Prasad himself was that the structure must begin from the foundations and it must go up". Shri Prakasham regretted that it was rather late when this question of "making the village republic as the basis of the whole Constitution was brought up and at that stage it was too late to make any attempt to change the basis of the Constitution which has gone so far ... I too agree, Sir, that if there was any mistake, the mistake was on our part in not having been vigilant enough and brought this before the House in proper time ... Under these circumstances it was very fortunate that this should come at this stage, that this should be introduced and worked in a proper way ... This gives opportunity to the people of every province and the whole of India to go on this basis and work up the whole thing without interrupting the progress of the Constitution at this stage ... I am anxious that this must be carried out in all the provinces as quickly as possible soon after the Constitution is passed, and I am seeing today the light and prosperity before the country when the Constitution is passed and when this village organisation comes into existence.

The spirit behind establishing village Panchayats as vibrant village republics as the basic constituent units of our national life, which moved the Founding Fathers, while making the Constitutional provision has not been honoured. In fact as time passed it seems to have been forgotten and its significance is not being appreciated or seriously considered, by the policy makers and administrators alike. The result is that Panchayati Raj legislations in the country have been framed in the mould of general laws in which these institutions are subjected to the authority of the State and a bevy of functionaries operating

its legal-administrative apparatus. Consequently, the Panchayats have not emerged as units of self-government. They are functioning, more or less, as minions of the State dependent on it for almost everything and subject to its supervision, direction and control. In this frame, the Panchayats are seen merely as instruments for wielding influence, dispensing favours and settling scores with no significant role for them in the reconstruction of the community and realisation of the great potential of countless millions as produd citizens of a Sovereign Socialist Secular Democratic Republic.

The source of this regression appears to be the ambivalence in the prevailing concepts about democracy, democratic institution and democratic decentralisation. Election of popular representatives based on universal franchise to the legislative ^{bodies} ~~appears~~ ^{taken} to have been ~~not~~ only as a necessary but also a sufficient condition for establishment of a democratic republic. This not true. In a democratic society power vests with the people. This should become menifest not only in form but in spirit in all walks of life and in the functioning of the state-apparatus at all levels. In this frame, there is no question of delegating powers to an institution like village Panchayat in which the people themselves are expected to participate directly. As between a polity based on direct participation by the people and the one depending on their participation through representatives the former is intrinsically superior with reference to the basic democratic values. The inherent powers of the people, therefore, can vest in the real sense of the term only in those institutions in which they participate directly. It is in face-to-face situations, as in the village, that the people can be expected to interact with full knowledge of the issues involved, complete understanding of the situation and clear realisation

of their powers to intervene with associated sense of responsibility. In forums other than a face-to-face community, the sovereign power is exercised by the people not directly but through their representatives. Therefore, it is the Panchayats which are democratic institutions par excellence in the true sense of the term, all other institutions irrespective of their roles and responsibilities are democratic institutions only in form.

In a democratic republic the delegation of powers can be conceived as delegation from the people upwards. In this frame the village Panchayats becomes the basic building block of the national polity. The area of responsibility of the village Panchayat, a unit of self-government, with people directly managing its affairs, ex-pothesis becomes all inclusive and its inherent powers become inviolable. All higher tiers of representative institutions can exercise those powers only which are specifically delegated to them by the people and cannot be exercised by village Panchayat. In other words, the supra-structure of representative institutions should be visualised as being built from the base upwards.

That this point was missed while making the basic frame of our Constitution was noted by the members of the Constituent Assembly themselves. The design of our Constitution basically represents a top down process. It, was, however, hoped that in the prevailing milieu after the Independence in which there were not only no dissenting voices but a deeply ingrained faith in the need for establishing village Panchayats in the image of village republics, the Directive Principle as contained in Article 40 will be able to set into motion a process which will permeate the national life in due course and create the desired order notwithstanding the antithetical top down grain of the

the crucial facts that Constitutional frame. It is a pity that in this exuberance, / the power of the formal structures which abide and that the prevailing spirit of the time howsoever strong being essential ephemeral in nature were not realised. It is, therefore, not surprising that this 'Article of Faith' remained devoid of its great potential for transforming the socio-economic structure of the nation and has been treated by the power elite as a mere appendage in a complex system of no significance.

The saddest part of the history of independent India is the lack of faith in the common man by those on whom the people's power devolved in course of time under the Constitution which is in striking contrast to the instinctive response of the Constitution makers who echoed the voice of the multitude in the Constituent Assembly when they spoke about village republics. Their faith in the ideal of village republics being realised rested on the intrinsic merit of such institutions, the great Indian tradition in that regard and the Gandhian ethos engendered during the long freedom struggle. This faith has been belied by the consolidation of processes of centralisation and the nascent milieu of self-righteousness omniscience and omnipotence in the corridors of power. This centralisation is not only compromising the long-term national goals of fostering individual dignity and building up of responsible citizenry but has disastrous consequences even for the short-term mundane goals of eradication of poverty and economic growth. The highly centralised structure of the State has proved to be counter productive. It is clear that any attempts to reform it without any change in the basic design is bound to result in increasing the mass and making it still more counter-productive. The only way out from this vicious circle is to trust the people and create a system in which they can

manage^{all} their day-to-day affairs by themselves. The establishment of Gram Swaraj or village republics is the only hope.

It is not possible at this stage to rebuild the constitutional frame bottom upwards. However, it is possible to accept the Directive Principles for establishing village republics as the main ingredient of the national life. A system can be worked out in which a large area can be carved out as^{the} exclusive concern of the village Panchayats. These institutions at the grass roots should be unequivocally responsible to the people with regard to the area of their responsibility which may be endowed to them in a truly democratic spirit. While village represents face-to-face community, a group of village can be visualised representing a quasi-face-to-face community about whose affairs people are generally aware personally or through word of mouth of those whom they can trust. Therefore, a Panchayat like institution for this larger area say a mandal, can be visualised. The Mandal Panchayat should be responsible to the village Panchayats and through them to the people. The Mandal may provide a wider forum for some of the activities for which village may not be a viable unit. For example, while elementary education could be a responsibility of the village Panchayat, secondary education could be taken care of by the Mandal Panchayat. Beyond mandal level, a face-to-face situation cannot be simulated and, therefore, only formal institutions can be established at higher levels which must deal in ideas, concepts, formal rules and regulations. At these levels democratic institutions will have^{to} be representative institutions like the state and the Central legislatures. //The need of the hour is not mere democratic decentralisation. The concept of democratic decentralisation is self-contradictory. The ambivalence in this regard can be traced to

the dissonance between the top-down grain of the Constitutional structure and the base-up orientation of a truly democratic society. This ambivalence can be removed to a great extent by accepting a dualistic design for our democratic institutions - one for small face-to-face communities and quasi-face-to-face communities in a large area with provision for direct participation by the people and final authority vesting in them and the ^{other} \angle for larger areas with formal representative institutions enjoying such powers as may be delegated in them by the Union and the State. The area of responsibility of the Panchayats should continually grow so that they can become true republics of the dream of our Founding Fathers and the Father of the Nation.

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DEMOCRATIC DECENTRALISATION-A NEW THRUST

By
H.B.N.Shetty, I.A.S.

BACKGROUND: Restoration of Panchayats to their pristine glory has been accepted as an article of faith by the Constitution makers as revealed under Article 40 of the Constitution. The article reads:

"The State shall take steps to organise village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government".

Introduction of Community Development and National Extension Service programmes in 1952 gave a new fillip to rural development and an opportunity for the village Panchayats to play their destined role in the governance of the country. The programmes of N.E.S. & C.D. aimed at the development of both human and material resources and began the task of constructing economic and social infrastructure in rural areas. The village Panchayats were actively associated with these efforts raising the expectations and aspirations of the rural people.

In 1957, the Planning Commission appointed a study team under the Chairmanship of Balwantray Mehta to study and report on the C.D. projects and N.E.S. with a view "to economy and efficiency" and, among others for the assessment of the extent to which the movement has succeeded in utilising local initiatives and in creating institutions to ensure continuity in the process of improving economic and social conditions in Rural areas.

The Mehta Committee report prepared the blue print for the concept of democratic decentralisation. They pleaded for the decentralisation of governmental powers to the field level peoples'

institutions. They said

"Development cannot progress without responsibility and power. Community Development can be real only when the community understands its problem realises its responsibilities, exercises the necessary powers-through its chosen representatives and maintains a constant intelligent vigilance on local administration. With this objective we recommend an early establishment of statutory elective local bodies and devolution to therein of the necessary resources, power and authority".

The Committee suggested the setting up of a three tier structure, Panchayat at the Village level, Panchayat Samities at the Block level and an advisory body at the district level. Direct elections were to be confined to village Panchayats and the Panchayat Presidents to become the members of the Panchayat Samities and the Chairman of the Panchayat Samities to become the members of the district level body. The Committee's recommendations were endorsed by the National Development Council and accepted by almost all the States and each State worked out a structure of decentralised administration which suited them best. The euphoria of Panchayati Raj did not last long. The phase of ascendancy of hardly five years was followed by the phase of stagnation and then the decline. A number of factors have conspired to undermine the Panchayati Raj Structure and made them ineffective. While there was reluctance on the part of the Government to share their powers with the decentralised institutions on one side the performance of the Panchayati Raj bodies of the limited powers entrusted to them was not complimentary. The essential idea that all developmental activities should flow only through the Block level organisation thus lost ground. Schemes like SFDA, DPAP, ITDP when started, were not brought within the umbrella of a decentralised democratic set up. Bureaucracy also conspired with the forces acting against the decentralised administration, to weaken the Panchayati Raj as they were not happy to involve them in the development process they preferred the line hierarchy and

wanted to be accountable to the State Government through their officers rather than make themselves accountable to the local Panchayati Raj Institution. Above all the lukewarm attitude of the political elite at higher levels towards the strengthening of the democratic process at the grass root was generally the crux of the matter. Local M.L.As and M.Ps found the development of power centres at the block and the District level a threat to their influence and importance. Panchayati Raj bodies usually dominated by economically or socially privileged section of Society cared little for the welfare of the weaker sections. This coupled with political factionalism, corruption inefficiency etc. resulted in total disappointment with the working of P.R.Is.

In December 1977, Government of India appointed another Committee under the Chairman of Asoka Mehta to enquire into the working of the P.R.Is and to suggest measures to strengthen them, so as to enable a decentralised systems of planning and development to be effective. The resolution appointing the Committee reads:

"The Government accords the highest priority to rural development, so as to increase agricultural production create employment, eradicate poverty and bring about an all round improvement in the Rural economy. The Government considers that the maximum degree of decentralisation, both in planning and implementation is necessary for the attainment of these objectives".

The Committee made several useful recommendations. It advocated a two tier system, a Zila Parishad at the District level and Mandal Panchayats covering a population of 15000 to 20000 at the field level.

This Committee was appointed by the Janatha Government and by the time, the report was received, Congress(I) had come back to power. No serious attempt was made to have a national debate on the recommendations of the Committee. However the Government of Karnataka and Andhra Pradesh have adopted the structural changes suggested by

the Committee and enacted new legislation. These experiments are being watched with interest.

Two Major problems which are facing the country today are:-

- a) Rural Poverty and
- b) Rural Unemployment.

These problems are not new as they have been with us ever since the country became independent. What is disturbing is the growing size of these malignancies which unless tackled quickly is likely to overtake the political system.

The thrust Panchayati Raj must be in the direction of finding a solution to the formidable poverty contours and unemployment. It has been proved beyond doubt that centralised planning and implementation of planned projects will not lead us to the desired goal. Then what else is the answer? The answer is obvious. Decentralised planning and implementation associating the people and their elected representatives in the planning process alone can bring down the poverty level of the rural areas.

What should be the structure of PRIs. We should have to take up the onerous task of Rural Development, eradication of Rural poverty etc? We have two models before us - A three tier model recommended by the Balwantray Mehta Committee and the two tier structure suggested by the Asok Mehta Committees.

The first Committee laid great emphasis on block level body for planning whereas the second committee has pinned their faith on a district level elected body called Zila Parishad. While there is no need to disturb the existing 3 tier structure the role of these bodies require reappraisal. Ashok Mehta Committee opted for Mandal Panchayats apparently for purposes of viability. It is no doubt true that under the present set up large percentage of Panchayats don't have enough resources to pay for a single clerk on a permanent basis. This has to change if we are really serious in associating the grass

root level organisations in planning and administration. An enabling section in the Panchayat Act to merge the non-viable village Panchayats to make them viable to be decided by the Inspector of Panchayats will meet the situation. Kerala has done this exercise with great success. This will ensure the village panchayats becoming partners in the dynamics of development. The existing structure at the block level could also continue with the necessary powers, Resources and responsibilities.

There is however lot of force in the suggestion of Ashok Mehta Committee that the first decentralisation of powers from the State Level must be at the district level. Historically the District has been the pivot of local administration for centuries. For planning, supervising and coordinating developmental programme, administrative and technical competence of the requisite calibre is available only at this level and not at the block. One is inclined to agree with the Committee that the District level Body must be an elected one with its own elected Chairman if we are to have a real democratic institutions.

The role of the District Collector vis-a-vis Zila Parishad is another area of considerable constroversy. The experiment done by the Karnataka Government appears to be a good compromise. While having an elected body at the District level for purposes of channelling the development programmes it will have a Chief Executive Senior to the District Collector. Is it necessary to call him Chief Secretary of the District Level Government is a moot point. The regulatory functions including the maintenance of law and order can remain with the District Collector. An official level coordinating committee presided over by the Chief Executive of the Zila Parishad will sort out issues which are germane to development projects but come under the purview of District Collector.

The indirect election suggested by the B. Mehta appears to be a better model rather than go in for direct elections with all its evil

implications. As is the practice in Tamil Nadu the President of the Panchayat, Chairman of the Panchayat Unions and the Chairman of the Zila Parishad may however be elected directly to give the necessary strength for the elected Chief.

As already mentioned, the M.L.As and M.Ps of the districts will not be happy about the powers and privileges of the Chairman, Zila Parishad. The very essence of decentralisation is to share all political powers at different centres. If the elected representative feels that the Chairman, Zila Parishad is more powerful he is at liberty to contest for the same and get elected. As a convention, nobody should be allowed to hold more than one elected office.

Authority must be backed up with the required resources if the peoples' Institutions are to play their expected role. Unless there is a willingness to share the State resources with the district level Government no institutional structure can deliver the goods. State planning exercise must be linked to schemes and projects covering more than one district, like power projects, National Highways, Research projects etc. and all the projects meant for each District must be executed by the District Level Government. The total resources of the State must be distributed on a ratio commensurate with the programmes allotted to each District. Government of Gujarat is already sharing 40 percent of the State revenues with the Zila Parishads and the Karnataka also has set apart 33-1/3% of the revenues for district level bodies.

There is a genuine fear that the rural elite will dominate the elected bodies by virtue of their position and they will ignore the welfare of the weaker sections. There must be a built in safeguard while devolving financial resources to the district level by not only having separate Committee of the District level body to look after this aspect but also to have a fixed percentage of compulsory allocations for this group.

It is necessary to have a high level coordinating authority at the State level in the rank of a Chief Secretary called Development Commissioner, to oversee the functioning of the local Government. He should also be responsible for Human Resources Development which is important for maintaining quality in administration.

Democratic Decentralisation can make little headway unless there is qualitative change in the character of the people. Integrity, honesty and rule of law are slowly becoming things of the past and a passive acquiescence with such a situation is becoming the order of the day. If this tendency is not arrested by the people themselves through their institutions, the future of this country is going to be dismal. It is fervently hoped that things will change for the better where peoples' Institutions take over the reins of administration in future.

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NEW THRUST IN DEMOCRATIC DECENTRALISATION

By

Dr. Bishwanath Singh,
M.A.(Patna), M.D.P.A.(IIPA),
M.P.I.A.(Pittsburgh, USA); Ph.D.
University Professor of Political
Science and Director, Institute
of Public Administration, Patna
University, Patna.

and

Dr. Nityanand Singh
University Professor of Chemistry,
Patna University.

India attained independence on August 15, 1947, from the British colonial rule. During the British days, all powers were centralised in the hands of the British authorities. There were some political institutions in India but they exercised powers only on the sufferance of the British authorities. It was a natural political craving of the Indian people that powers should be decentralised on a democratic basis. The democratic decentralisation of power was on the top of the political manifesto of the Indian National Congress.

The programme of democratic decentralisation envisaged local self-government at the lowest level. It is a governance of local assemblies, called Gram Sabha in the villages in India and municipal government in the cities. At the middle level, it envisaged governance by Panchayat Samitis at the block level and Zila Parishad at the district level. At the State level, it has State Legislature and at the national level, there is Parliament. Election to all these bodies provided democratic character.

J.S. Mill had said that "all business purely local, all which concerns a single locality, should devolve upon the local authorities". Local self-government aims at management of all business purely local by the local people. It envisages representative bodies composed of elected members and vesting them power of regulation and administration of local matters of that small area. "Local government is that part of the government of nation or state which deals mainly with such matters as concern the inhabitants of the particular district or place, together with those matters which Parliament has deemed it desirable should be administered by local authorities, subordinate to the central government."¹

Local self-government is the bedrock of people's liberty and an essential condition for the success of democracy. A. de Tocqueville appropriately remarked that "local assemblies of citizens constitute the strength of free peoples. Town meetings are to liberty what primary schools are to science; they bring it within the people's reach. They teach men how to use and enjoy it. A nation may establish a system of free government but without the spirit of municipal institutions it cannot have the spirit of liberty".²

Therefore, institutional changes in India since 1947 have had two fundamental motivations - the one was urge for democratic decentralisation and the other was development. The same motivations were at the base of the changes brought about in the institutions of local self-government. These institutional changes sought political democratisation and decentralisation of

1. J.J. Clarke, The Local Govt. of the United Kingdom (London), 1948, p.1.

2. Quoted by V.D. Lipman, Local Govt. Areas, 1934-1945, Oxford, 1949, p.1.

power as well as accelerating the pace of economic development and social change. In fact, decentralisation of power was presented as an essential condition for people's cooperation for accelerating the pace of development.

The demand for decentralisation is based on several theoretical assumptions. One assumption is its relation with democracy. Abraham Lincoln had described democracy as a government of the people, for the people and by the people. The real manifestation of the "government of the people" can be only through decentralisation of power. Therefore, Mahatma Gandhi called decentralisation as the soul of democracy. According to him, the village panchayats should constitute an integral part of our constitution if our independence was to reflect the people's voice. Advocating decentralisation, Henry Maddick said that in its absence all questions of popular control over administration will become mere academic as the people will have no knowledge of administrative matters and decisions.¹ It is only through local institutions that the people can really participate in the administration of the country. As Prof. Gyanchand in his book, Local Finance in India, wrote, "Political decentralisation is necessary because the frailty of a ballot-box democracy becomes more and more evident by the utter incompetence of those whom this method places in a position of authority".

The second strong theoretical support for decentralisation is based on the need for responsible government. No policy of the government can be effectively implemented without strong cooperation from the people. People's cooperation can be forthcoming if the administration is responsible and responsive to them. A responsible administration can be practised if the units of administration is small as in a local self-government. Therefore, in the words of Prof. Finer, freedom, power and status

1. Henry Maddick, Democracy, Decentralisation and Development (1963), p.57.

to the local bodies are necessary in order to enable them to discharge their responsibility to the people.

The third strong ground theoretical support to the decentralisation is its efficacy in accelerating the pace of development. After independence, India launched a massive programme of economic development and social change. The community development programmes were launched. These programmes were to rely upon institutions of local self-government for their effective implementation. As the First Five Year Plan of India said, "Local self-governing bodies have thus a vital part to play in the field of development ... the general direction of policy should be to encourage them and assist them in assuming responsibility for as large as a portion of the administrative and social services within their areas as may be possible". The development plans can be implemented effectively only with people's cooperation and for this the institutions of local self-government should be endowed with sufficient powers and resources. As a United Nations Report in 1959 said, "community development methods are the key to stimulate local communities to awaken them to the potentials of the modern society and to instil in them the desire for change". Thus, from social stand point also, there is need to develop decentralised democracy.

The fourth theoretical support to decentralisation is derived from the arguments for efficiency. Centralisation of powers results in a false sense of omnipotence and omnipotence is incompetence. Concentration of too much powers in one central authority leads not only to inefficiency but also corruption resulting in disorder and confusion.

The fifth argument in support of decentralisation is the need to provide opportunity to the people to exercise their own discretion and decision. This is possible only when powers are decentralised through institutions of local self-government.

The sixth strong argument in favour of decentralisation is the need to meet a crisis situation effectively. Crises like drought, flood, famine or fire can be fought effectively by institutions of local self-government whose assistance is immediately and easily available.

Centralisation leads to the growth of bureaucratic tendency. It may lead to uniformity but is hardly conducive to loyalty. As Prof. Laski said, "Obedience is rarely creative in a highly centralised state; it becomes mechanical and inert; centralisation makes for uniformity, it lacks the genius of time and place".

India launched the programme for community development projects with much fanfare in 1952. The programme aimed at all-round development of the rural population, formulating a plan for systematic development and seeking people's cooperation in implementation of the development plans. There were high hopes and Pandit Jawaharlal Nehru characterised it as harbinger of "silent revolution". Delivering the inaugural speech at the Development Commissioners' Conference on May 7, 1952, he said, "The community(development) projects are of vital importance not so much for the material achievement that they would bring about but much more so, because they seem to build up the community and the individual and to make the latter the builder of his own village centres and of India in the larger sense". They projects failed to produce the desired results, and the committees constituted to elicit people's cooperation remained on paper only. As the Report of the Estimates Committee(Fourth), reported. "There are very few instances indeed in which these committees have worked as they were intended to work"(Para II, 1965, pp.26-27). In its subsequent report in 1955, it said, "Advisory committees continue to be ineffective and in many projects they are virtually non-existent"(p.27).

The failure of the community development projects forced re-thinking on the part of the Indian leaders. The Report of the Team for the Study of Community Projects and N.E.S., said that "admittedly, one of the least successful aspects of the C.D. & N.E.S. work is its attempt to evoke popular initiative" (Vol. I, p.5). The Balwantrai Mehta Committee report recommended "democratic decentralisation". It differed from the community development projects in some important respects. The community development projects were temporary phase, whereas the panchayati raj was envisaged as permanent structure for village self-government. The former was basically a technique, whereas the latter is an ideal. It aims at modernization, politicisation and democratisation. In the words of Professor Norman D. Palmer, the Panchayati raj is the "most exciting experiment in democratic decentralisation in any developing country". It is intended to bring about a revolutionary change in the social psychology and political approach of the village masses.

Starting with Rajasthan, several States in quick succession started Panchayati Raj. Inaugurating the Panchayati Raj in Rajasthan on October 2, 1959. Pandit Nehru proclaimed with understandable enthusiasm, "We are going to lay the foundation of democracy or Panchayati Raj in India". Rajasthan and Andhra were the first to launch on the three-tier system of the Panchayati Raj, while some States like Assam, Haryana and Karnataka introduced two-tier structure. In Jammu and Kashmir, Kerala, Manipur and Tripura, there is only one tier, i.e., Gram Panchayat at the village level, which is the first tier in many States. The Panchayat Samiti is the intermediate tier, whose jurisdiction in majority of the States, is co-extensive with the block. The third tier is usually at the district level known as the Zila Parishad. In Tamil Nadu and Karnataka, it is known as the District Panchayat. In Bihar, Panchayati Raj institutions have been introduced at all the three levels in all the districts recently.

